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STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento
October 20, 1941

Honorable Paul Peek
Secretary of State
Room 109, State Capitol
Sacramento, California

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IN REPLY PLEASE REFER

TO:

My dear Mr. Peek:

Attached hereto are three copies of regulations
made by the State Department of Social Welfare
on September 24, 1941.

These regulations are filed in accordance with
Article 21 of Chapter 3 of Title 1 of Part 3 of
the Political Code as amended by Chapter 628,
Statutes of 1941.

Very sincerely yours,

Marta A. Chickering

MARTHA A. CHICKERING, Director
Department of Social Welfare

172:387

Attachments

FILED
In the office of the Secretary of State
OF THE STATE OF CALIFORNIA
OCT 21 1941
PAUL PEEK, Secretary of State
By *Deputy*

WHEREAS, in Department Bulletin No. 146 in its reference to Aged and Blind aid cases in which there occurred an underpayment for the month of July 1941 there is contained the following rule: "Any necessary upward adjustments in the grant shall be made before August 31, 1941," and

WHEREAS, this Board finds that several counties, although exercising due diligence in the making of necessary adjustments, were unable to make the aforementioned necessary upward adjustments on all cases before August 31, 1941, and found it necessary to make such adjustment during the month of September 1941,

NOW THEREFORE BE IT RESOLVED that, upon a finding by the staff of the Department that such counties have exercised due diligence, there is hereby authorized financial participation in supplemental aid grants made Aged and Blind aid recipients in such counties for the months of July and August 1941, even though such supplemental payments were not made until September 1941.

See Welfare and Institutions Code,
Sections 2140
2187
3075
3087.1

9/15/41

Sacramento
September 10, 1941

DEPARTMENT BULLETIN NO. 162 (REVISED)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Re: Old Age Security
Section 2183

Attorney General's Opinion NS 3738, issued August 30, 1941, copy attached, relates to the beginning date of aid in cases granted subsequent to the expiration of the 90-day period of investigation. The opinion makes necessary a change in the rulings appearing in Department Bulletin No. 162, issued August 2, 1941, page 1. Therefore, page 1 of that bulletin is rescinded. This bulletin replaces page 1 of former Department Bulletin No. 162. All remaining pages of that bulletin continue in full force and effect.

Amendment to Section 2183

The amended portion of Section 2183 as effective September 13, 1941, provides:

"* * * A county shall have a period of 90 days after the date of application within which to determine whether or not the applicant is eligible for assistance, and the aid shall be granted to him from the first day of the month in which the determination is made that he is eligible but in no event shall the aid commence prior to the date of application. If the investigation is not completed at the end of the 90-day period, the investigation shall continue until completed and if eligibility is established, aid shall begin as of the first day of the month following the end of the 90-day period."

Effect of Amendment on Beginning Date of Aid

The beginning date of aid shall be determined as follows:

- 1) When the Board of Supervisors grants aid on or before the expiration of the 90-day period from the date the application was signed, aid shall be payable from the first day of the month in which the Board of Supervisors acts, except that the beginning date of aid may not antedate that on which the application was signed.

Example: Application signed June 24, 1941. The 90-day period expires September 22, 1941. The Board of Supervisors grants aid on September 4 (or any date up to and including September 22, 1941). Aid begins September 1, 1941.

2) When the Board of Supervisors grants aid on the 91st day or some subsequent day following the termination of the 90-day period, aid shall be payable from the first of the month following that in which the 90-day period terminated.

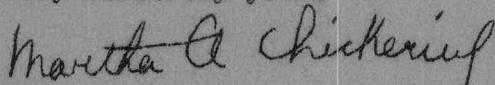
Example: Application signed June 24, 1941. The 90-day period expires September 22, 1941. The Board of Supervisors grants aid on September 23 (or any date thereafter on which the application is passed by the Board of Supervisors). Aid begins effective October 1, 1941.

The amendment relating to payment of aid from the first of the month following the expiration of the 90-day period is not applicable to applications signed more than 90 days prior to September 13, 1941. During a transitional period some such applications will be presented to the Board of Supervisors for action. Aid in such cases shall begin on the first of the month in which the Board of Supervisors takes action.

Application

The application shall be signed by the applicant and acknowledged before a properly qualified official as soon as administratively feasible and not later than the time of the first interview unless the applicant appears to be definitely ineligible under the law, is convinced that he does not qualify for aid, and does not desire to continue with the application. An applicant shall not be requested to withdraw his application and any request for withdrawal must be voluntary on his part and in writing.

Very sincerely yours



MARTHA A. CHICKERING, Director
Department of Social Welfare

See Welfare and Institutions Code,
Section 2140

Earl Warren
Attorney General

STATE OF CALIFORNIA
Legal Department

San Francisco, August 30, 1941.

Department of Social Welfare
616 K Street
Sacramento, California.

Attention Martha A. Chickering, Director.

Gentlemen:

This is in reply to your letter dated August 18, 1941, in which two questions are presented involving interpretations of Section 2183 of the Welfare and Institutions Code, which section, as amended, is effective September 13, 1941. The section reads in part as follows:

"A county shall have a period of 90 days after the date of application within which to determine whether or not the applicant is eligible for assistance, and the aid shall be granted to him from the first day of the month in which the determination is made that he is eligible but in no event shall the aid commence prior to the date of application. If the investigation is not completed at the end of the 90-day period, the investigation shall continue until completed and if eligibility is established, aid shall begin as of the first day of the month following the end of the 90-day period."

Your first question reads:

"The first question is, may the State and county make any payments whatever of retroactive aid under the amendment, which payments are not subject to Federal participation?"

Your letter contains the following discussion relating to this question:

"In connection with this first question, you will note that the Federal Government will not participate in certain retroactive aid payments apparently required by amended Section 2183. The view has been advanced that the State and county should not make aid payments to aged persons when such payments are not subject to Federal participation. In support of this view there has been advanced the contention that Old Age Security at the present time is a joint enterprise between the county, State and Federal Governments and that refusal of the Federal Government to participate in the payment because of its valid rules and regulations should cause the State and county not to make this particular type of payment. In opposition to this view it is contended that amended Section 2183 clearly requires such retroactive aid payments and that, in such event, the State law is controlling upon the State and county regardless of whether or not Federal participation in such payments will be available."

Section 2020 of the Welfare and Institutions Code has been amended to increase the maximum amount to which "any applicant shall be entitled" to forty dollars per month. Section 2021 now appropriates \$240 per annum, rather than the former amount of \$210, for each aged person maintained or supported by a county and \$480 per annum, rather than \$420, for the maintenance or support of aged persons eligible for aged aid but having no county residence within the meaning of the Old Age Security Law. Section 2025 has been repealed. The effect of this legislation is, in our opinion, to provide that the maximum amount of aged aid that may be rendered is now forty dollars per month per eligible person rather than thirty-five dollars, irrespective of the fact that Federal assistance may or may not be made available. It is our view that the fact that the Federal government may refuse to participate in

payments of old age security in any particular case or cases does not affect the provisions of the Welfare and Institutions Code above noted which are controlling as to the state and counties.

Therefore, whether or not the Federal government will participate in payments made under amended Section 2183 is immaterial. Thus, if a county does not complete its investigation of an application for old age security for more than ninety days from the date of the application, if eligibility is established, aid must be given as of the first day of the month following the ninety day period. If the Federal government will not participate in such payments, they then, in our opinion, under the State law become the obligations of the state and the county.

In your second question you ask our opinion regarding a proposed regulation of the Social Welfare Board which is concerned with Section 2183 of the Welfare and Institutions Code. Your proposed regulation reads as follows:

"The amended section relating to payment of aid from the first of the month following completion of the 90 day period is applicable to all applications signed prior to September 13, 1941, and on which the 90 day period expired before that date. When the 90 day period terminated prior to September 1, the aid shall begin as of September 13, 1941. If the 90 day period for investigation terminated subsequent to September 1, but prior to October 1, 1941, the aid shall be payable from October 1, 1941."

It is our view that your proposed regulation is

not in accord with the provisions of amended Section 2183.

It is a well settled principle of law that acts of the Legislature should be given a prospective operation unless the language employed clearly indicates a contrary intention.

The amendment provides that a county "shall have a period of ninety days after the date of application" within which to determine eligibility and the aid "shall be granted from the first day of the month in which the determination" of eligibility is made. If the investigation is not completed in ninety days, the investigation shall continue until completed and, if eligibility for aid is established, the aid "shall begin as of the first day of the month following the end of the ninety day period."

It is our view that the ninety day period should be applied to applications made prior to and pending on September 13, 1941; that is to say, such period should be treated as running with reference to such applications, and it is not necessary that a new or additional ninety day period, commencing on the effective date of the amendment, should be accorded as to such applications; but that with reference to the matter of aid in relation to such applications and the time when such aid shall be granted or shall begin, the amended section is to control.

Your rule should provide, in our opinion, that when

the ninety day period elapsed and the application was not acted upon prior to September 13, 1941, the amendment does not affect the same because that application, under Section 2181, is no longer effective and it would not be pending before the Board of Supervisors on September 13th. When the ninety day period elapsed on or after September 13th and the Board acted prior to October 1, 1941, but after the ninety day period, aid would be payable on October 1, 1941, because the amendment provides that the aid shall be payable as of the first day of the month following the end of the ninety day period. When the ninety day period elapsed after September 13, 1941, but prior to October 1, 1941, and the Board acted prior to the ninety day period, aid should begin as of September 1, 1941, since the amendment requires in such case that aid shall be granted as of the first day of the month in which the determination is made.

Very truly yours,

EARL WARREN, Attorney General

By /s/ T. A. Westphal, Jr.

Deputy

TAW:W

5-NS3738

9/5/41

Calbert L. Olson

Governor

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STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento
October 10, 1941

DEPARTMENT BULLETIN NO. 88-B

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

IN REPLY PLEASE REFER

TO:

RE: OAS - ANB - APSB
Determining the Grant
When Income is Involved

Department Bulletin #88-A, issued June 29, 1940, is rescinded. Information contained in that bulletin is incorporated herein together with additional suggestions for simplifying accounting procedures.

The advantages of making grants of aid in whole dollar amounts is recognized. While certain types of income must be deducted in their exact amount, other types may be adjusted to make possible the grant of aid in a whole dollar amount. The following rulings apply in Old Age Security, Aid to the Needy Blind, and Aid to the Partially Self-supporting Blind. (For Aid to Needy Children see Department Bulletin #82, Page 2, Section 1511.)

Income Which May be Disre-
garded

In cases in which there is an income of an amount of less than \$1.00 which does not recur, or which recurs only semi-annually or less often, the income may be ignored due to the administrative expense of giving effect to a deduction or following through collection procedure.

Example: A recipient of Old Age Security has a bank account of \$40.00 upon which interest accrues semi-annually at the rate of 2%. The 40¢ income received semi-annually as a result of the interest payment on this bank account may be ignored.

Fixed In-
come Must
be De-
ducted
in its
Exact
Amount

Fixed income must be deducted in its exact amount.

Example: A relative is paying an insurance premium for an Old Age Security recipient in the exact amount of \$4.63 per month. There is no other income and there is no established need in excess of \$40.00. Aid shall be granted in the exact amount of \$35.37.

Income Which May be Adjusted to Keep the Grant in Whole Dollars

It is possible to keep grants of aid in whole dollars when the income received is not a regular or known fixed amount.

Types of income which may be adjusted to whole dollars:

1. Regular income which is estimated as in the case of the value of a contribution in kind, such as free rent, free board and room, etc.

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Example: A recipient of Old Age Security, having no need in excess of \$40.00 a month, receives from a responsible relative clothing and incidentals of a value estimated at about \$6.25 per month. This estimate may be reduced to \$6.00, thus permitting aid to be granted in the whole dollar amount of \$34.00.

2. Irregular income of such a nature that consideration of the income received in the past is the only possible way of estimating the amount the recipient might reasonably expect to receive in the future. That amount which represents the monthly average over the preceding 3 months' period reduced to the nearest whole dollar may be deducted in determining the grant.

Example: A recipient of Old Age Security repairs lawn mowers and his exact income from month to month cannot be foretold. Income over the past three months has been as follows: June earnings \$9.50, July earnings \$12.75, August earnings \$9.50, total earnings \$31.75 or an actual monthly average of \$10.58. Therefore, \$10.00 is determined to be the recipient's average monthly income and he is eligible to a grant of \$30.00 provided there is no income from any other source and need in excess of the basic grant has not been established.

3. Grants of aid may usually be kept in whole dollar amounts when a case involves both fixed and adjustable income.

Example: An Old Age Security recipient for whom there is no established need in excess of \$40.00 receives clothing and incidentals from a daughter, the value of which is estimated at approximately \$6.50 per month. A son pays the recipient's insurance premium in the fixed amount of \$4.63 per month, making a total income of \$11.13. The \$6.50 estimated income may be lowered to \$6.37 which, when added to the fixed insurance premium of \$4.63, would adjust the income to \$11.00. Aid may then be granted in the amount of \$29.00.

Method of Report- ing Es- timated Income When reporting income on certificates of eligibility and Notices of Change, the exact amount of income used in arriving at the amount of the grant should be reported.

Example: The estimated value of a contribution of free rent should not be shown as \$5.25 and the amount of the grant \$35.00. The estimated rent should be reported as \$5.00, which, when added to the grant of \$35.00 will equal \$40.00.

Frequency
of Ad-
just-
ments
in the
Grant
of Aid

The grant of aid shall be increased as soon as administratively possible when a decrease in the income causes the amount of the grant, together with income, to fall below the amount to which the recipient is entitled under the Code provisions for the particular category of aid. When an increase in the income of the recipient causes the amount of the grant, together with income, to exceed the Code provisions for the particular category of aid, the grant of aid shall be decreased as soon as administratively possible, but in no case shall the amount of aid, together with income, be less than that provided by the Code.

The repeal of the former provisions of the Welfare and Institutions Code relating to Old Age Security and Aid to Needy Blind, exempting income from certain sources, is likely to result in increased administrative expense incident to frequent changes in the grant of aid. It is administratively desirable to keep such changes, the administrative cost of which is frequently greater than the amount involved, to a minimum, especially so since such changes often cause a delay in the issuance of warrants. The following rule may be applied:

When the amount of monthly income is known to increase regularly and the monthly income presumably will not have increased more than \$1.00 by the end of a six months' period, a redetermination of the amount of income and adjustment of the grant are not required until the end of the six months' period. (This rule is not applicable when the income is known to decrease regularly.)

Example: An applicant for Blind Aid has income of \$8.28 a month from encumbered property. Aid in the amount of \$41.72 per month is granted in July. Although payment on the principal is not allowed in computing the net income from the property, payments on the principal are made. There is, therefore, a decrease of several cents monthly in the interest, resulting in a monthly increase in the net income. The net income increased as follows:

<u>Month</u>	<u>Amount of Net Income</u>
July 1941	\$8.28
August	8.35
September	8.41
October	8.46
November	8.52
December	8.61
January 1942	8.70

Assuming that the applicant has no other income and that need in excess of the basic grant is not established, no adjustment in the amount of the grant is necessary until January 1942 when it is reduced to \$41.30.

See Welfare and
Institutions Code,
Sections 2020

2140
3084
3075
3472

Sincerely yours,

Martha A. Chickerin

MARIA A. CHICKERING, Director
Department of Social Welfare

DIVISION OF PERSONNEL

Board action is requested on a minor change in the minimum qualifications for the classification of County Welfare Director I, permitting a person who has had experience as a manager or a responsible employee in a governmental agency to offer such experience on the same basis as experience as a manager or responsible employee in a business establishment.

The change in the section on Qualifying Experience of the specification appears in capital letters:

"Successful full time paid experience in any of the following capacities: a social worker in a private or public welfare agency or institution, a manager or responsible employee of a business establishment OR GOVERNMENTAL AGENCY, nurse, probation officer, school teacher, or any other position directly related in function to the duties of the position of County Welfare Director I."

The inclusion of this type of experience as qualifying experience broadens our base for recruitment for these positions and our failure to include it when the specifications were originally written was clearly an oversight.

9/15/41

See Welfare and Institutions Code,
Sections 119.5 and 119.6

Culbert L. Olson

Governor

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Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento
October 10, 1941

DEPARTMENT BULLETIN NO. 80-J

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Aid to Needy Blind
Aid to Partially Self-Supporting Blind
Division of Income of Spouses Living
Together.

The following policies relating to division of income of spouses living together were approved by the Social Welfare Board on September 24, 1941;

Income of Ineligible Spouse (ANB; APSB)

The ineligible spouse of a recipient may apply to his or her own support and the support of his dependent children such of his income, including earnings, annuities, pensions, etc., as is necessary before applying the remainder, if any, to the support of the recipient. (See Manual of Policies and Procedures - Section 171-10, Mutual Responsibility of Spouses.)

Income of Eligible Spouse (ANB)

The applicant or recipient may allocate to his or her ineligible spouse who is without support, a portion of his income from earnings, annuities, pensions, both civil and military, OASI benefits, regular payments received because of compensation laws, both industrial and unemployment, and any income other than that from separate property owned by applicant or recipient. The amount allocated shall not exceed one-half of such income, and in no event shall it exceed a reasonable amount necessary for the support of the ineligible spouse, as determined by investigation in each individual case. No allocation of such income may be made for the support of minor children. Where the applicant or recipient is receiving OASI benefits, the apportionment to his spouse shall not continue after she has reached the age of 65, at which time she becomes eligible by virtue of her husband's "primary benefit" to payments in her own right.

(This is a change from the former policy as outlined in Department Bulletin No. 80-C, which permitted the division of community income with the ineligible spouse to the extent of one-half of such income but in no event

to exceed \$33.33 per month. The statement of this former policy as contained in the last paragraph on page 3 of Department Bulletin No. 144-Revised is no longer effective.)

Income of Eligible Spouse (APSB)

The applicant or recipient may allocate to his or her ineligible spouse who is without support, a portion of his income from earnings, annuities, pensions, both civil and military, OASI benefits, regular payments received because of compensation laws, both industrial and unemployment, and any income other than that from separate property owned by applicant or recipient. The amount allowed shall not exceed one-half of such income, and in no event shall it exceed \$400 per year. Where the applicant or recipient is receiving OASI benefits, the apportionment to his spouse shall not continue after she has reached the age of 65, at which time she becomes eligible by virtue of her husband's "primary benefit" to payments in her own right.

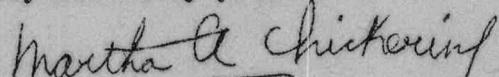
Income from Community Property (ANB; APSB)

Net income from real or personal community property shall be shared equally with the spouse, whether eligible or ineligible.

The above policies do not apply to income from separate property owned by either spouse.

These rulings become effective immediately and all actions of the county board of supervisors on applications and notices of change ninety days or later from the date of this bulletin shall be in accord with them.

Very sincerely yours



MARTHA A. CHICKERING, Director
Department of Social Welfare

See Welfare and Institutions Code,
Sections 2074 and 3472

Culbert L. Olson

Governor

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Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento
October 10, 1941

DEPARTMENT BULLETIN NO. 81 REVISED - F

IN REPLY PLEASE REFER
TO:

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Old Age Security
Division of Income of Spouses
Living Together.

The following policies relating to division of income of spouses living together were approved by the Social Welfare Board on September 24, 1941:

Income of Ineligible Spouse

The ineligible spouse of a recipient may apply to his or her own support and the support of his dependent children such of his income, including earnings, annuities, pensions, etc., as is necessary before applying the remainder, if any, to the support of the recipient. (See Section 171-10, Manual Policies and Procedure.)

Income of Eligible Spouse

The applicant or recipient may allocate to his or her ineligible spouse who is without support, a portion of his income from earnings, annuities, pensions, both civil and military, OASI benefits, regular payments received because of compensation laws, both industrial and unemployment, and any income other than that from separate property owned by applicant or recipient. The amount allocated shall not exceed one-half of such income, and in no event shall it exceed a reasonable amount necessary for the support of the ineligible spouse, as determined by investigation in each individual case. No allocation of such income may be made for the support of minor children. Where the applicant or recipient is receiving OASI benefits, the apportionment to his spouse shall not continue after she has reached the age of 65, at which time she becomes eligible by virtue of her husband's "primary benefit" to payments in her own right.

(This is a change from the former policy as outlined in Department Bulletin No. 81 Revised, page 3, which permitted the division of community income with the ineligible spouse to the extent of one-half of such income but in no event to exceed \$15.00 per month. The statement

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of this former policy as contained in the first paragraph under Excess Need on page 3 of Department Bulletin No. 143-Revised is no longer effective.)

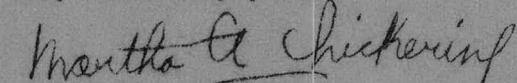
Income from Community Property

Net income from real or personal community property shall be shared equally with the spouse, whether eligible or ineligible.

The above policies do not apply to income from separate property owned by either spouse.

These rulings become effective immediately and all actions of the county board of supervisors on applications and notices of change ninety days or later from the date of this bulletin shall be in accord with them.

Very sincerely yours



MARTHA A. CHICKERING, Director
Department of Social Welfare

See Welfare and Institutions Code, Sections 2020 and 2140

Culbert L. Olson
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October 29, 1941

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The Honorable Paul Peek
Secretary of State
Room 109, State Capitol
Sacramento, California

FILED

IN REPLY PLEASE REFER

in the office of the Secretary of State IN 147
OF THE STATE OF CALIFORNIA

OCT 30 1941

PAUL PEAK, Secretary of State

By *John J. Gallagher* Deputy

My dear Mr. Peek:

Enclosed are three copies of currently effective regulations made by the State Department of Social Welfare.

These regulations are filed in accordance with Article 21 of Chapter 3 of Title 1 of Part 3 of the Political Code as amended by Chapter 628, Statutes of 1941.

Very sincerely yours,

Marta A. Chickering

MARTHA A. CHICKERING, Director
Department of Social Welfare

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STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

October 27, 1941

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IN REPLY PLEASE REFER
TO: **1299**

MANUAL LETTER NO. 15

You receive herewith **Revision 7, Relatives Chapter**, to be inserted in your copy of the Manual of Policies and Procedures in accordance with the printed Introduction. This revision will replace Revision 2, Relatives Chapter, in which a printing error occurred.

Sec. 170-00 Relatives, Statutory Provisions

170-00

Old Age Security	Aid to Partially Self-Supporting Blind Residents Aid to Needy Blind	Aid to Needy Children
<p>A person is eligible, provided he meets all other eligibility requirements, if he is not receiving adequate support from a husband or wife or child, able and responsible under the law of this State to furnish such support. (W. & I. C., Sec. 2160-f.)</p>	<p>If any applicant for or recipient of ANB or APSB has residing within the State, a spouse, parent or adult child pecuniarily able to support him, and such relatives fail to perform their duty to support the blind person, the county may request the district attorney, or other civil legal officer of the county to proceed against the kindred in the order of their responsibility for support. (W. & I. C., Secs. 3088, 3474.)</p>	<p>In ANC, the parent or parents of the child are responsible for his support. The parent entitled to the custody of a child must give him support and education suitable to his circumstances. If a father's support of a legitimate child is inadequate, the mother must assist him to the extent of her ability. (C. C., Sec. 196.)</p>
<p>The county shall determine if the applicant or recipient of aid has within the State a spouse or adult child pecuniarily able to contribute to the support of the applicant or recipient. A spouse or adult child of such applicant or recipient shall file a sworn statement indicating whether he or she is contributing to the support of such person and if contributing in what form and amount per month. Upon request of the county the spouse or adult child shall file such sworn statement within 10 days if living in the county or within 30 days if living elsewhere in the State, provided, however, that the granting or continued receipt of aid shall not be contingent upon the filing of such sworn statement by such spouse or adult child.</p>	<p>Upon such request, the district attorney, or other civil legal officer of the county granting aid may, on behalf of the county, maintain an action in the superior court of the county granting the aid, against such relatives to recover for the county such portion of the aid granted as the courts find such relative or relatives pecuniarily able to pay, and to secure an order requiring the payment to the county of any sums which may become due in the future for which the relative may be liable.</p>	<p>The father as well as the mother of an illegitimate child must give him support and education suitable to his circumstances. (C. C., 196-a.)</p>
<p>The county shall determine the ability of responsible relatives to contribute to the support of the applicant. The maximum degree of liability of the responsible relative shall be determined by the Relatives' Contribution Scale. In determining ability to contribute the financial circumstances of responsible relatives shall be given due consideration and in unusual cases, contributions at less than the amount fixed by the Relatives' Contribution Scale may be made as the county may deem justifiable. (W. & I. C., 2181.)</p>		
<p>If the person receiving aid has within the State a spouse or adult child pecuniarily able to support said person the county shall request the district attorney or other civil legal officer of the county granting such aid to proceed against such kindred in the order of their responsibility to support.</p>		
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<p>Any sum so recovered shall be credited by the county to the county, to the State and to the Federal Government in proportion to the contributions of each respectively, or in the manner prescribed by the SDSW.</p>	<p>The receipt of aid by the applicant shall not be contingent upon such recovery or such order.</p>	
<p>The granting of or continued receipt of aid shall not be contingent upon such recovery. (W. & I. C., 2224.)</p>	<p>The sums so recovered shall be credited by the county in its settlement with the State. (W. & I. C., Secs. 3088, 3474.)</p>	

170-05 Sec. 170-05 Relatives, OAS Law
OAS

W. & I.C. SECS. 2181; 2224; 2160F

A person is eligible, provided he meets all other eligibility requirements, if he is not receiving adequate support from a husband or wife or child, able and responsible under the law of this State to furnish such support. (See Sec. 172-00, Investigation of Responsible Relatives Within State, OAS.)

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170-10 Sec. 170-10 Relatives, ANB and APSB Laws
ANB; APSB

W. & I.C. SECS. 3088; 3474

If any applicant for or recipient of ANB or APSB has residing within the State, a spouse, parent or adult child pecuniarily able to support him, and such relatives fail to perform their duty to support the blind person, the county may request the district attorney, or other civil legal officer of the county to proceed against the kindred in the order of their responsibility for support.

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170-15 Sec. 170-15 Relatives, ANC Law
ANC

C. C. SECS. 196; 196A

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Culbert L. Olson
Governor

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TO: **1297**

MANUAL LETTER NO. 15

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170-05 Sec. 170-05 Relatives, OAS Law
OAS

W. & I.C. SECS. 2181; 2224; 2160F

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Any sum so recovered shall be credited by the county to the county, to the State and to the Federal Government in proportion to the contributions of each respectively, or in the manner prescribed by the SDSW.

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ANB; APSB

W. & I. C. SECS. 3088; 3474

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Sec. 170-00 Relatives, Statutory Provisions

170-00

Old Age Security	Aid to Partially Self-Supporting Blind Residents Aid to Needy Blind	Aid to Needy Children
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IN REPLY PLEASE REFER

TO:

1297

MANUAL LETTER NO. 16

You receive herewith **Revision I, Welfare Personnel Standards Chapter**, to be inserted in your copy of the Manual of Policies and Procedures in accordance with the printed Introduction. This revision was adopted by the Social Welfare Board on October 30, 1941, and becomes effective immediately.

Your attention is directed to the following change in procedure:

Secs. 073-60 and 073-70. The appointing power is responsible for notifying eligibles of certification, and may notify all or any of them at his discretion.

FILED
in the office of the Secretary of State
OF THE STATE OF CALIFORNIA
NOV 17 1941
PAUL PEEK, Secretary of State
By _____ Deputy

Sec. 072-30 Examination Records

072-30

WPS

All examination papers submitted by competitors are property of examining agency and are confidential records which shall be open to inspection only for such purpose and under such conditions as follows:

1. On written request to the examining agency, any competitor may within thirty days after establishment of eligible list inspect his papers at such time and place and under supervision of such person as examining agency may designate.
2. For inspection of papers in any place away from headquarters of examining agency, and for any inspection after the first, fee shall be 25 cents each.
3. A competitor's papers shall be open to inspection only by himself, his attorney when authorized in writing, and appointing authority (or his authorized representative) to whom competitor's name may be certified for appointment.
4. Unauthorized copying of questions or answers by any person from any paper made available for inspection is forbidden and may result in cancellation of eligibility and disbarment from future examinations.
5. Examining agency may approve such conditions as to time, place, manner, and frequency of inspection as in its judgment may be necessary to prevent abuse of this privilege.

Applications and other necessary examination records shall be kept during life of the eligible list. Examination records of appointees shall be kept for a reasonable period of time, but examination records of other applicants, not appointed may be destroyed thirty days after the eligible list expires or in accordance with practice of examining agency.

All notices of changes of address shall be filed by applicants and eligibles with examining agency. (See also Sec. 076-50, Appeal for Review of Examinations.)

Sec. 073-00 Establishment of Eligible Lists

073-00

WPS

After each examination, examining agency shall prepare an eligible list of persons who qualified. Names of such persons shall be placed on the eligible list in the order of their final ratings starting with the highest. If two or more eligibles have final ratings which are identical their names shall be arranged on eligible list in the order of their ratings on the chief essential of the examination.

In order to assist county agencies in appointing county residents to positions whenever possible, examining agency shall establish eligible lists containing names of eligibles who reside within a given county. Examining agency shall establish such geographical or district eligible lists as directed by the SSWB to include all names of eligibles who reside within a specified district. Examining agency shall also maintain State-wide eligible lists.

For the purpose of preparing a county employment list, an individual will be deemed to be a resident of a county if, at time of establishment of the eligible list, he has resided for a continuous period of at least ninety days in that county. Or, in the event that the individual has not resided continuously in that county for at least ninety days immediately preceding establishment of the employment list, he shall be deemed to be a resident of the county if he can establish the fact that he is a member of the electorate of that county.

However, if an individual changes his residence from one county to another after the employment list has been established, he may have his name placed on the county employment list for the county of his new residence, *provided*, that he makes such a request and presents satisfactory evidence to the examining agency that he has resided in that county for a continuous period of ninety days, or is a qualified elector of that county. The name of one individual shall not appear on more than one county employment list at the same time for any one or several classifications of employment.

If a vacancy exists in a class of position for which there is no appropriate eligible list, examining agency with approval of the SSWB may prepare an appropriate eligible list for the class from one or more existing related eligible lists. For this purpose examining agency shall select eligible lists for classes for which minimum qualifications and examinations are similar to or higher than those required for class in which vacancy exists.

Sec. 073-05 Duration of Eligible Lists

073-05

WPS

Each eligible list shall remain in effect at least one year from the date of its establishment and thereafter until exhausted or replaced by a more recently prepared list for the class.

An eligible list may be deemed by examining agency to be exhausted if fewer than three available eligibles remain on the eligible list.

Notice of intention to abolish an eligible or promotional eligible list upon completion of a new examination shall be sent to all eligibles whose names appear upon the list to be abolished.

It shall be the duty of the SDSW to notify examining agency as far in advance as possible of vacancies which may occur in a county agency. Within these rules, examining agency shall be responsible for determining adequacy of existing eligible lists and for establishment and maintenance of appropriate eligible lists for all positions in the agencies exclusive of exempt positions.

Sec. 073-10 Removal of Names From Eligible Lists

073-10

WPS

Under supervision and direction of the SSWB, examining agency may remove name of an eligible from an eligible list:

1. For any of the causes stipulated in Sec. 071-95, Disqualification of Applicants;
2. On evidence that eligible cannot be located by postal authorities;
3. On receipt of statement from eligible declining an appointment and stating that he no longer desires consideration for a position with the agency;
4. If three offers of a probationary appointment to class for which eligible list was established have been declined by the eligible.

Examining agency shall notify eligible by mail addressed to his last-known address of this action and the reasons therefor. An eligible's name shall be reinstated on the eligible list upon showing of cause satisfactory to the SDSW, or in accordance with a decision of the SSWB upon appeal as provided in Sec. 076-70, Appeal from Dismissal, Suspension, or Demotion.

073-20 **Sec. 073-20 Reemployment Lists****WPS**

In addition to the eligible list for any class there shall be established for each class a reemployment list, said list to contain names of any employees who had permanent or probationary status and who have been laid off from positions in such class, and persons who have resigned and who within one year from date of resignation have, with consent of appointing authority and SSWB, withdrawn their resignations, said names to be placed on said list in accordance with combined record of efficiency and seniority of said employee.

Any name, after a period of five consecutive years, shall be removed from the reemployment lists unless period is extended by SSWB.

073-25 **Sec. 073-25 Promotional Eligible Lists****WPS**

Names of competitors who are successful in promotional examinations for any given county as provided in these rules shall be placed on the county promotional eligible list for class for which such examination is held and said list may take precedence over eligible list and general reemployment list for said class at discretion of appointing authority.

An employee who leaves employ of the county (except by lay-off) in which he has gained eligibility for promotion shall be considered as having relinquished his right to promotion, and his name shall be stricken from such promotional eligible list. In discretion of SDSW, such employee's name may, if the employee requests it in writing, be placed upon eligible list for same class in accordance with final rating attained in promotional examination, if there be such an eligible list then existing.

073-30 **Sec. 073-30 Inactive Lists****WPS**

The name of an eligible who is not available for immediate certification shall be placed upon an inactive list, but may be restored to the active list from which it was removed upon written request of such eligible, provided list resulting from the examination in which he participated is still in existence. (See Sec. 073-70, Response by Certified Eligible; and Sec. 073-90, Voluntary Withdrawal from Active List.)

073-50 **Sec. 073-50 Request for Certification of Eligibles****WPS**

Whenever a position is to be filled, appointing authority shall notify the SDSW of that fact in advance of date of anticipated need and shall make written request for certification on forms prescribed by the SDSW, stating duties, salary, tenure, and location of the position.

In requesting certifications for personnel, the appointing authority may have the right to specify the sex of the eligibles to be certified provided that a justifiable reason is given for the request and is approved by the Personnel Officer.

073-60 **Sec. 073-60 Certification of Names****WPS**

Examining agency shall certify to appointing authority names and addresses of the three persons who stand highest on eligible lists for class to which position belongs and who have indicated a willingness to accept conditions of employment as specified.

Number of names to be certified to appointing authority shall be on basis of number of appointments to be made plus two from each of following lists: county, district, and State-wide employment lists. All names shall be certified from each eligible list in their consecutive order.

Where appointment is for a period of sixty days or less, only the names of those eligibles who live in vicinity of the employment need be certified.

If there is no eligible list for class in which vacancy occurs, an appropriate list may be used, if there is such, and in that event only the names of those persons having full qualifications required in vacant position shall be certified.

If an eligible receives a probationary or permanent appointment, such appointment shall constitute, for its duration, a waiver of his right to certification from any other eligible list on which his name appears for a class of position the salary of which is either equal to or lower than that salary covered by his appointment, unless at time of such appointment he requests in writing that his name be retained for certification from such eligible list or lists. (For exception see Sec. 077-20, Appointment to Fill Military Leave Vacancy.)

Name of each employee whose name appears on an eligible list for a class of position with a higher salary range than the salary range of his present class of position shall be submitted by examining agency, and given consideration for the higher class of position if his name is reached.

073-65 **Sec. 073-65 Omission of Names From Certification****WPS**

If, in the exercise of his choice provided under Sec. 074-00, Original Appointments, appointing authority passes over the name of an eligible on an eligible list in connection with three separate appointments he has made from the eligible list, written request may be made of the SDSW that name of such eligible be omitted from any subsequent certification to same appointing authority from same eligible list. Name of such eligible shall thereafter not be certified to him from that eligible list for future vacancies in that class of position.

073-70 **Sec. 073-70 Response by Certified Eligible****WPS**

Appointing authority may notify an eligible that he has been certified by the examining agency, may request that he report for interview if he so desires, and shall inform any eligible so notified of the necessity for responding promptly in accordance with the provisions of this section.

Failure of an eligible to respond within 48 hours plus the time required for mail transmittal between headquarters of appointing authority and place of residence of said eligible, or, if notified by telegram requesting him to appear for interview, failure of eligible to present himself or to reach the appointing authority with some kind of communication within 48 hours from the sending of the telegram, shall be deemed an automatic waiver of the certification.

When certification is waived or declined by a certified eligible, appointing authority may request and examining agency shall thereupon certify an additional name in lieu of the eligible who waived. Written evidence of waiver shall be submitted by appointing authority when additional certification is requested.

Name of any eligible who fails to respond, within a reasonable time after notice of certification or any other notice sent him by examining agency requiring an answer, or who fails to keep examining agency advised of his correct address and telephone number, shall be placed on inactive list. Said name may be restored to the active list at any time during remaining time such list is in existence, provided satisfactory reasons are presented to SDSW for failure to respond or to supply required information.

Culbert L. Olson
Governor

MAIN OFFICE
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LOS ANGELES OFFICE
WASHINGTON BUILDING
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STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento
December 30, 1941

Honorable Paul Peek
Secretary of State
Room 109, State Capitol
Sacramento, California

FILED
in the office of the Secretary of State
OF THE STATE OF CALIFORNIA
DEC 31 1941
PAUL PEEK, Secretary of State
Deputy

My dear Mr. Peek:

Attached hereto are three copies of regulations, currently effective, made by the State Department of Social Welfare.

These regulations are filed in accordance with Article 21 of Chapter 3 of Title 1 of Part 3 of the Political Code as amended by Chapter 628, Statutes of 1941.

Very sincerely yours,

Marta A. Chickering
MARTHA A. CHICKERING, Director
Department of Social Welfare

172:387

SOCIAL WELFARE BOARD

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J. STITT WILSON
1745 HIGHLAND PLACE
BERKELEY

IN REPLY PLEASE REFER

TO:

ARITHMETICAL 70 PER CENT

WHEREAS, the examining agency (the State Personnel Board) has completed scores on the open competitive examinations for the following classifications:

Public Assistance Worker, Grade I
Public Assistance Worker, Grade II
Public Assistance Supervisor, Grade I
Public Assistance Supervisor, Grade II
Public Assistance Supervisor, Grade III
County Welfare Director I
County Welfare Director II
County Welfare Director III
County Welfare Director IV
County Welfare Director V
County Welfare Director IIIA
County Welfare Director IIB
Property and Resources Investigator
Senior Typist-Clerk
Senior Stenographer-Clerk
Senior Clerk
Senior Bookkeeper-Clerk
Chief Bookkeeper-Clerk
Chief Clerk
Junior Typist-Clerk
Junior Stenographer-Clerk
Junior Clerk
Junior Bookkeeper-Clerk
Receptionist
Addressograph & Graphotype Operator
Janitor, and

WHEREAS, because of the increasing difficulty, caused by the defense activities, in obtaining employees, and

WHEREAS, the Department (State Department of Social Welfare) is interested in having individual county lists established wherever possible

NOW, THEREFORE, BE IT RESOLVED, that the Board (State Social Welfare Board) ratify the action taken by the staff in recommending that an arithmetical 70 per cent should be considered the minimum qualifying score in tabulating test results in the written examinations for the above-mentioned county Merit System examinations.

Adopted by
State Social Welfare Board
October 29, 1941

(Authority: Sections 119.5 and 119.6,)
(Welfare and Institutions Code)

FILED
in the office of the Secretary of State
OF THE STATE OF CALIFORNIA
DEC 31 1941
PAUL PEEK, Secretary of State
By _____ Deputy

WORK PROJECTS ADMINISTRATION REFERRALS

WHEREAS, on September 18, 1941, the State and County Coordination Committee on Reemployment adopted a resolution requesting the State Department of Social Welfare to advise all counties which have not completed the agreements with the State Department of Social Welfare and which have not been certified as referral agencies for W.P.A. that immediate conformance is necessary; and

WHEREAS, certain counties of the State to date have not signed such agreements and have reduced the available list for W.P.A. assignment; and

WHEREAS, the Committee in session October 3, 1941, has reviewed the unemployment situation as it is reflected to date in various parts of the State and finds that present conditions make even more urgent than heretofore the need of an explicit declaration from the State Welfare Department as to future policy, and expresses the hope that the October meeting of the State Welfare Board will result in such a declaration, and

WHEREAS, continued refusal of the counties to cooperate with this program denies to their citizens their rights for a work relief program as provided by the W.P.A. and reduces the W.P.A. assignment list which, in turn, automatically reduces the State W.P.A. quota,

NOW, THEREFORE, BE IT RESOLVED, that we request the State Welfare Board at its October meeting to reallocate the county quotas for State sponsored projects on the basis of need, and that State sponsorship of all projects be limited to such counties as have indicated a relief need by acceptance of State standards and by referral of eligibles to W.P.A.

Adopted by Sub-Committee of
State and County Coordinating Committee
on Reemployment
October 3, 1941

It was moved, seconded, and carried, that the Social Welfare Board instruct the Director of the State Department of Social Welfare to move the W.P.A. projects from the non-referring counties as rapidly as possible and in as orderly a manner as possible, to the referring counties. It was further directed that a letter be written to those counties involved calling their attention to this action of the Social Welfare Board.

Action taken by
State Social Welfare Board
October 29, 1941

(Authority: Chapter 879, Statutes of 1941)
Section 103, W. & I. Code)

COMMODITY DISTRIBUTION TO INDIVIDUALS

It was moved, seconded, and carried, that the Social Welfare Board approve for adoption both of the following proposed plans relative to commodity distribution, the counties to choose the plan desired:

- (1) Direct distribution by the State Department of Social Welfare through its Commodity Store upon specific requisition of specific articles by the county; or
- (2) Distribution by the County Welfare Department through any plan which it would set up.

By either method the County will keep records which will be subject to audit. In either method the State Department of Social Welfare assumes no responsibility for determining eligibility of the individual or the amount of clothing which he may receive. Either of these alternate plans would be for those persons determined eligible.

W.P.A. employees are being specifically excluded until such time as definite determination as to methods of handling can be worked out and presented to the Board (Social Welfare Board) at a later date.

Adopted by
State Social Welfare Board
October 29, 1941

(Authority: Section 103, Welfare and Institutions Code)
(Chapter 878, Statutes of 1941)

COMMODITY DISTRIBUTION TO COUNTIES

Clothing will be distributed to counties on three bases:

- (1) Clothing to be allocated on the basis of dollar for dollar value to those counties making a direct contribution to the sewing projects;
- (2) The total value of the clothing being considered 100%, this would be divided 50/50, 50% to be allocated on the basis of the ratio of the county's contribution to the Community Service Projects, to the total of all other county contributions to Community Service Projects;
- (3) The other 50% to be allocated to the county on the basis of the ratio of their case load to the total state case load.

Adopted by
State Social Welfare Board
October 29, 1941

(Authority: Section 103, Welfare and Institutions Code)
(Chapter 878, Statutes of 1941)

METHOD OF COMPUTING GRANTS OF AID TO NEEDY CHILDREN

WHEREAS, on November 8, 1941, the State Department of Social Welfare received from the Chairman of the Board of Supervisors of Los Angeles County a demand that the method of computation of the State share of grants of Aid to Needy Children be changed from the method now used by this Department, and

WHEREAS, in his Opinion NS2781 the Attorney General considered this matter and held that the method now being followed by the State Department of Social Welfare was the proper method as contemplated by the Welfare and Institutions Code, this opinion having recently been reaffirmed by Attorney General's Opinion NS3844,

NOW, THEREFORE, BE IT RESOLVED, that in view of the fact that this Board follows the law as construed in the Opinions of the Attorney General until this determination is changed by a court of competent jurisdiction, the demand of the County of Los Angeles that the method of computing the State share in Aid to Needy Children grants be changed, be and is hereby rejected, and

BE IT FURTHER RESOLVED, that as requested by the County Counsel of Los Angeles County, a copy of this resolution be forwarded to him.

Adopted by
State Social Welfare Board
November 27, 1941

{Authority: Sections 1555 and 1556,)
{Welfare and Institutions Code)

CLOTHING ALLOCATION IN COUNTIES

BE IT RESOLVED that whenever clothing produced on W.P.A. sewing projects is released by the State Department of Social Welfare to counties in bulk, such clothing to be distributed by the counties, that the amount of inventory permitted to be maintained by any county shall not exceed a total in excess of a four month allocation as determined by the allocation formula fixed by the State Board of Social Welfare.

BE IT FURTHER RESOLVED that the Department of Social Welfare shall reduce monthly allocations by the amount which such allocation would increase the county inventory in excess of the four month allocation.

Adopted by
State Social Welfare Board
November 28, 1941

(Authority: Section 103, Welfare and . . .)
(Institutions Code.)
(Chapter 878, Statutes of 1941.)

Culbert L. Olson
Governor

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540 VAN NESS AVENUE

STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento
March 27, 1941

DEPARTMENT BULLETIN NO. 98 - REVISED

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

IN REPLY PLEASE REFER
TO:

RE: Old Age & Survivor's Insurance Benefits

The bureau of Old Age & Survivor's Insurance, Social Security Board, has made certain modifications in the procedure for release of information regarding Old Age & Survivor's Insurance payments through the field offices of the Bureau of Old Age & Survivor's Insurance. Also, the Bureau will now voluntarily advise public assistance agencies of information coming to their attention and which they believe might be of value to the local agency in the determination of the amount of public assistance to which an individual is entitled. The following paragraph is quoted from a bulletin released by the Social Security Board.

"It may develop that the Social Security Board has positive information that an individual who is a beneficiary of old-age and survivors insurance is also receiving public assistance. In such cases, the Board will voluntarily advise the public-assistance agency of the fact that an individual is receiving old-age and survivors insurance benefits, even though the Board has not received a formal request for this information. Where the employment history of an individual disclosed in the course of an interview or in the course of development of the claim raises an obvious question as to need, and he is, or has been, receiving assistance from such agency, full particulars will be reported to the agency."

Department Bulletins No. 98, issued January 6, 1940, and No. 98-A, issued April 11, 1940, are cancelled. There has been no change in the mimeographed booklet entitled "Federal Old Age & Survivor's Insurance" which was forwarded with Department Bulletin No. 98, and this together with the list of field offices of the Social Security Board as forwarded with Department Bulletin No. 98-A continues in use.

Old Age & Survivor's Insurance benefits represent a resource which must be utilized by those eligible under the program. Receipt of Old Age & Survivor's Insurance does not preclude eligibility for public assistance, but income received from this source must be considered in determining the grant of public assistance to which the applicant or recipient is eligible.

Old Age Security	- See: Dept. Bulletin No. 81-Revised Section 2020, Page 3, Item 4.
Aid to Needy Blind	- See: Dept. Bulletin No. 80-C, Page 1.
Aid to Needy Children	- See: Dept. Bulletin No. 113-A, Page 7, C, 2.

SOCIAL WELFARE BOARD
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A determination of probable eligibility for Old Age & Survivor's Insurance can be made only after careful scrutiny of the employment history of individuals whose status as insured persons must be ascertained. The applicant or recipient remains the primary source of verification regarding benefits. When satisfactory information can not be secured through the applicant or recipient, the county welfare department shall make inquiry on Form DPA 1-Revised March 1941, "Request for Old Age & Survivor's Insurance Information," to the field office of the Bureau of Old Age & Survivor's Insurance in all cases in which

- (a) Clear evidence as to eligibility for insurance benefits exists
- (b) The individual's employment record clearly indicates some reasonable possibility of eligibility.

Attached is Form DPA 1*Revised March 1941, "Request for Old Age & Survivor's Insurance Information." The signature of the claimant on the form, itself, is not required. Before submitting a request to the local field office of the Bureau of Old Age & Survivor's Insurance Benefits, there must be on file in the county office the signed authorization of the applicant or recipient permitting the county to investigate his financial resources. Responsibility rests with the local agency to interpret to the applicant or recipient the meaning of the authorization, including the fact that information regarding Old Age & Survivor's Insurance will be requested.

Until the present supply of the "Authorization for Financial Investigation" (Forms AG 228, CA 228, B1 33) is exhausted, it is recommended that "including Old Age & Survivor's Insurance" be inserted after the words "trust accounts" in the fifth line of the authorization. As soon as the present supply of the "Authorization for Financial Investigation" is exhausted, this change will be incorporated in the revised form. In any case in which a county has devised its own financial authorization form, it is recommended that a similar insertion be made and as soon as the present supply of such forms is exhausted, it is necessary that the authorization be amended to include authorization for Old Age & Survivor's Insurance clearance.

In order that Form DPA 1-Revised March 1941 will be forwarded to the local field offices only in cases where presumptive eligibility exists, use of Form DPA 2, "Inquiry Form for Determining Presumptive Eligibility of a Wage Earner for Old Age & Survivor's Insurance Benefits", has been recommended. Form DPA 3, "Inquiry Form for Determining Eligibility of Other Than a Wage Earner for Old Age & Survivor's Insurance Benefits", is also recommended. These two forms, as released with Bulletin 98-A, issued April 11, 1940, remain unchanged and are considered as work sheets. They are not to be forwarded to the field office of the Bureau of Old Age & Survivor's Insurance. Their use is optional with the local welfare units, provided all information called for therein is included elsewhere in the case record.

The Social Security Board recommends that each county welfare department designate one of its staff to serve as liaison officer between the welfare agency and the Old Age & Survivor's Insurance field office, such person to discuss eligibility problems or clear questions arising from the procedure as outlined herein.

PROCEDURE FOR OBTAINING INFORMATION REGARDING OLD AGE & SURVIVOR'S INSURANCE PAYMENTS

- I. The local welfare worker will determine if there is evidence as to the individual's eligibility for Old Age & Survivor's Insurance. The applicant or recipient may have in his possession information from the Bureau of Old Age & Supervisor's Insur-

* Under separate cover a small supply of Form DPA 1, Revised March 1941, in mimeographed form is being forwarded for use pending availability of the revised form through the State Bureau of Purchases, Supply Department, State Office Building No. 1, Sacramento.

ance which establishes this point. Otherwise, if careful scrutiny of his employment record indicates some reasonable possibility of eligibility, he will be asked whether he has already filed a claim for Old Age & Survivor's Insurance payments.

A. If a claim has previously been filed:

The individual will be asked for his award or disallowance letter. If this is available, no further inquiry will be necessary and the facts stated in the letter should be recorded in the case history. If the award or disallowance letter cannot be provided, four copies of the "Request for Old Age & Survivor's Insurance Information," Form DPA 1, Revised March 1941, should be completed. It is no longer necessary to obtain the signature of the claimant on the original, but the applicant's signed "Authorization for Financial Investigation" which includes authority to clear with the Bureau of Old Age & Survivor's Insurance must be in file. The original and two copies of Form DPA 1, Revised March 1941, will then be mailed to the field office of the Bureau of Old Age & Survivor's Insurance servicing the territory in which the local agency is located, and the fourth copy will be retained in the public assistance file awaiting the report from the field office regarding the status of the claim.

B. If no claim has been filed:

- (1) Four copies of the "Request for Old Age & Survivor's Insurance Information" Form DPA 1, Revised March 1941, will be prepared.
- (2) The original and two copies of the form will be placed in an envelope and given to the prospective claimant with instructions to take the forms to the servicing field office.
- (3) The fourth copy will be filed temporarily in the local welfare agency files pending receipt of the report of interview from the field office.
- (4) When the person referred by the local agency reports at the field office he will deliver the envelope containing the forms to an interviewer who will note the results of the interview on the third copy which will be mailed back to the agency making the referral at the close of business each day. The original and the duplicate copy will be handled as follows:
 - (a) In those cases where the person referred is obviously ineligible, the original will be returned with the third copy to the local welfare agency and the duplicate copy will be destroyed by the field office.
 - (b) When a claim has already been filed and the field office has received a copy of the award or disallowance letter, the duplicate and third copy will be returned to the local welfare agency at the same time indicating the final disposition of the claim. The original containing the certification that authorization for the disclosure of the information is on file will be retained in the field office.
 - (c) In those cases where a claim has already been filed and forwarded to Washington for adjudication at the time the inquiry is made but the field office has not received a copy of the award or disallowance letter, the original and duplicate copy will be forwarded to the Bureau of Old Age and Survivor's Insurance in Washington. That Bureau will notify the local welfare agency direct of the final disposition of the claim by returning the duplicate copy. The original will be retained in the Bureau of Old Age and Survivor's Insurance in Washington.

(d) Where a claim is filed as a result of the referral, both the original and the duplicate copy of the form will accompany the formal claims application to the Bureau of Old Age and Survivor's Insurance in Washington. That Bureau will then notify the local welfare agency direct as to the final disposition of the claim by returning the duplicate copy. The original of the form will be retained in the claims files in Washington.

(e) Where additional information is required by the field office, the original and the duplicate copy will be placed in the pending folder. If, after the additional information has been obtained, a claim is filed, both the original and a copy of the form will be forwarded to the Bureau of Old Age and Survivor's Insurance in Washington with the formal claim and that Bureau will advise the local welfare agency as to the final disposition of the case. The original of the form will be retained in the Washington claims files. If, after the additional information is obtained, it is obvious that the individual is not eligible for benefits, the original of the form will be returned to the local agency and the duplicate will be destroyed by the field office.

II. When the copy of the form containing the report of interview is received from the field office the welfare agency will file the form in its records. However, in no instance will a follow-up be made in the Old Age and Survivor's Insurance field office until sixty days has expired from the date of referral.

Claimants entitled to monthly benefits who have previously received lump sum benefits may receive an initial payment different from the recurring regular benefits to be paid.

In such cases the Old Age and Survivor's Insurance field office report will show:

- (a) The amount of the initial payment and the month in which it will be paid.
- (b) The amount of the regular payments and the month in which they will begin.

In rural areas where traveling distance to the field office is too great for convenient referral, the Social Security Board has arrangements for an "itinerant service." The welfare agency should communicate with the Old Age & Survivor's Insurance field office to obtain a schedule of this service and to make such arrangements as are necessary to have the recipients or applicants who are presumptively eligible for insurance payments interviewed by a representative of the field office at these itinerant stations. When possible the welfare agency should furnish the field office with a list of the names and addresses and social security account numbers of those persons who are presumptively eligible, and the social security account number and name of the insured, if the prospective claimant is other than the worker under whose account benefits may be payable. The Old Age and Survivor's Insurance office, in cooperation with the welfare agency, will set a time and place for interviewing such individuals convenient to the group. The place selected may be the office of the welfare department if the field office has no other quarters in the vicinity.

Very sincerely yours

(Authority: Section 2140, W.I.C.)

Martha A. Chickeriing
MARTHA A. CHICKERING, Director
Department of Social Welfare

REQUEST FOR OLD AGE AND SURVIVOR'S INSURANCE INFORMATION

NAME OF RECIPIENT OF PUBLIC ASSISTANCE	COUNTY NUMBER	NAME OF INSURED OR PRESUMPTIVE INSURED	SOCIAL SECURITY ACCOUNT NUMBER

NAME OF PERSON PRESUMPTIVELY ELIGIBLE IF OTHER THAN INSURED	RELATIONSHIP TO INSURED	ADDRESS OF CLAIMANT (IN FULL)
DIRECTOR, BUREAU OF OLD-AGE AND SURVIVOR'S INSURANCE: DATE		
THE ABOVE INDIVIDUAL IS UNABLE TO PRODUCE A COPY OF AN AWARD OR DISALLOWANCE LETTER FROM THE SOCIAL SECURITY BOARD WITH REFERENCE TO A CLAIM FOR PAYMENTS UNDER TITLE II OF THE SOCIAL SECURITY ACT, AS AMENDED.		
IT IS REQUESTED THAT INFORMATION, AVAILABLE FROM YOUR RECORDS, AS TO THE ENTITLEMENT OF THE ABOVE NAMED INDIVIDUAL TO OLD AGE AND SURVIVOR'S INSURANCE BENEFITS BE FURNISHED THIS OFFICE. THE INFORMATION REQUESTED HEREIN IS REQUIRED BY		
NAME OF LOCAL WELFARE AGENCY CITY		
CALIFORNIA, IN ORDER TO DETERMINE THE ACTUAL NEEDS OF THIS INDIVIDUAL FOR PUBLIC ASSISTANCE OR RELIEF. WE HAVE SECURED THE PERMISSION OF THE ABOVE INDIVIDUAL TO REQUEST THIS INFORMATION, WHICH WILL BE USED ONLY FOR THE PURPOSE STATED, AND WILL NOT BE DISCLOSED TO ANY OTHER ORGANIZATION OR INDIVIDUAL.		
SIGNATURE	TITLE	

SOCIAL SECURITY BOARD REPORT

DATE

LOCAL WELFARE AGENCY

STREET

CITY

CALIFORNIA

THE RECORDS OF THE BUREAU OF OLD-AGE AND SURVIVOR'S INSURANCE, SOCIAL SECURITY BOARD, SHOW THAT

(PAYEE) WHOSE DATE OF BIRTH IS (DAY) (MONTH) (YEAR) IS ENTITLED TO A
OF \$ PER MONTH, BEGINNING WITH THE MONTH OF

(TYPE OF BENEFIT) AND THAT ON (DATE) AN INITIAL PAYMENT IN THE AMOUNT OF \$ WAS (WILL BE) MADE
TO THE ABOVE-NAMED PAYEE AS THE (RELATIONSHIP) OF
DECEASED, SOCIAL SECURITY ACCOUNT NO. .

NOTE: IF CLAIM WAS DISALLOWED, STATE DATE
OF DISALLOWANCE IN THE SPACE PROVIDED

(DATE OF DISALLOWANCE OF CLAIM)

{SIGN AND RETURN ORIGINAL TO INQUIRING AGENCY}
(INITIAL AND FILE DUPLICATE IN CLAIMS FOLDER)

DIRECTOR,
BUREAU OF OLD-AGE AND SURVIVOR'S INSURANCE

Culbert L. Olson

Governor

MAIN OFFICE
SACRAMENTO
616 K STREET

LOS ANGELES OFFICE
WASHINGTON BUILDING
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SAN FRANCISCO OFFICE
540 VAN NESS AVENUE

STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING

DIRECTOR

Sacramento
December 9, 1941

SOCIAL WELFARE BOARD

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LOS ANGELES

J. STITT WILSON
1745 HIGHLAND PLACE
BERKELEY

IN REPLY PLEASE REFER

TO:

DEPARTMENT BULLETIN NO. 168

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Classification, allocation and
distribution of repayments of
public assistance.

All repayments of aid made on or after January 1, 1942, by recipients of Old Age Security, Aid to Needy Blind, Aid to Partially Self-Supporting Blind and Aid to Needy Children shall be reported to the State Department of Social Welfare in accordance with the procedure outlined in this Bulletin. The following portions of existing bulletins are rescinded:

Department Bulletin No. 80, Page 1, Section 3007

Department Bulletin No. 81-Revised, Pages 7 and 8, Section 2024

Department Bulletin No. 82, Page 1, Section 1504

Department Bulletin No. 84, Page 4, Paragraph 1, "Distribution of
Of Collections"

The establishment of the procedure set forth herein has been made necessary by the refusal of the Social Security Board to permit administrative expense allowances for certain types of repayments of Old Age Security. Other programs are included in the procedure for the purpose of uniformity.

Classification of Adjustments

Repayments of aid made as a result of any one of the following conditions shall be considered adjustments:

- A. Payments of aid beyond date of discontinuance.
- B. Payments made in excess of authorized grant of aid.
- C. Payments made subsequent to date of death of recipient.
- D. Regular or intermittent contributions from relatives whether such contributions pertain to a past, present, or continuing period, except lump-sum payments made upon order of the court. (See Item C under Classification of Collections)

E. Overpayments resulting because of possession of excess assets, receipt of excess income or other reasons discovered after award approved. This includes claims filed by the State Department of Social Welfare against estates of deceased recipients of OAS under the provisions of Section 2223 of the Welfare and Institutions Code.

Reporting of Adjustments

Repayments of aid made as a result of any one of these conditions shall be reported on forms Ag 19-DFA, Bl 13-DFA, Ca 26-DFA and Ca 41-DFA under the items provided for adjustments, which items have heretofore been restricted to State use only. Detail to support these items shall accompany each claim. Forms Ag 56-DFA, Bl 42-DFA and Ca 45-DFA, samples of which are attached, shall be used for this purpose. Initial supplies of these forms are being mailed under separate cover. Additional supplies may be obtained through the State Bureau of Purchases, State Office Building No. 1, Sacramento. Counties are asked to use these affidavit items and forms for no purpose other than that for which they are herewith provided.

Distribution of Adjustments to Agencies

The basis for an adjustment is the amount of aid received by an individual to which he was not legally entitled, i.e., the total amount due as a repayment. The basis for the distribution of an adjustment is the ratio of participation in the amount of aid which forms the basis for the adjustment. Therefore, the extent of participation by an agency in repayments of these types shall be based on the extent of participation by such agency in the aid payments which form the bases for the repayments. All payments or portions of payments forming the basis for an adjustment must be considered in determining the ratio of participation in the original payments, which ratio shall be applied to the repayment to determine each agency's share. It is understood that a portion of a public assistance payment may constitute the basis for a repayment.

To determine the ratio of participation in the amount of aid forming the basis for the adjustment the "claimed-less-should-have-claimed" method shall be followed. In other words, the first step in determining the distribution of an adjustment repayment is to subtract from the aid paid by each agency to the recipient during the period involved the amount of aid which should, or would, have been paid, had the reasons for adjustment been known at the time of payment. The following examples should serve to illustrate the method of distributing the adjustment type of repayment.

1. Aid to Needy Blind in the amount of \$50.00 was paid to a recipient for a month in which a responsible relative also contributed \$15.00, which contribution was not disclosed at the time it was received. When the contribution was discovered, the recipient, at the request of the county, repaid the \$15.00 overpayment. The repayment is distributed as follows:

<u>Agency</u>	<u>Federal</u>	<u>State</u>	<u>County</u>
Original Grant	50.00	20.00	15.00
<u>Less: Reduced Grant</u>	<u>35.00</u>	<u>17.50</u>	<u>8.75</u>
Distribution of Repayment	15.00	2.50	6.25

If, in this example, the recipient repaid the \$15.00 overpayment in three installments of \$5.00 each, such installments should be distributed in the same ratio as the total amount due. In other words the Federal government being entitled to \$2.50 or 1/6 of the \$15.00 due, is also entitled to 1/6 of any portion of that amount which may be recovered. It is understood that the Federal Government is entitled to only 1/6 of any amount recovered because it has not participated in the \$10.00 in excess of \$40.00 in the original \$50.00 payment.

2. In March 1941, it was discovered that a recipient of Old Age Security in the amount of \$35.00 per month from January 1, 1939, to December 31, 1939, and in the amount of \$40.00 per month thereafter, had received \$15.00 per month to which he was not entitled from March 1, 1939, to June 30, 1940, due to his receipt of excess income. The recipient agreed to repay at the rate of \$10.00 per month the amount of \$240.00 due. As of the effective date of this bulletin, \$90.00 has been repaid and has been applied at the rate of \$15.00 per month to the months of March through August 1939. For the purpose of distributing further repayments the \$90.00 previously received shall be disregarded and the basis for adjustment shall be the balance due or \$150.00. The ratio of participation used as a basis for distributing further repayments shall be determined as follows:

Aid paid from 9/1/39 to 6/30/40	Total \$380.00	Federal \$180.00	State \$100.00	County \$100.00
Aid which should have been paid during same period	<u>230.00</u>	<u>115.00</u>	<u>57.50</u>	<u>57.50</u>
Distribution of adjustment	150.00	65.00	42.50	42.50
Ratio of participa- tion	100%	43 1/3%	28 1/3%	28 1/3%

Each \$10.00 repayment made by the recipient subsequent to January 1, 1942, under his agreement with the county shall be distributed in accordance with the ratio of participation computed above. Of each \$10.00 received, the Federal Government shall receive \$4.34, the State \$2.83, and the county \$2.83.

3. Aid to Needy Children was paid for two children in the amount of \$50.00 per month from July 1, 1941, to December 1, 1941, on which date aid was decreased to \$27.50 because of their receipt of Survivors' Benefits in the amount of \$11.25 per month per child. The receipt of such benefits began with the month of July 1941. Therefore a collection of \$112.50 was made in January 1942 to adjust the overpayment for the months of July through November 1941. Of the total collection, \$25.00 representing county supplemental aid of \$5.00 per month may be applied first to county funds. The balance of \$87.50 shall then be considered the basis of the adjustment for purposes of distribution. The ratio of participation shall be determined as follows:

	<u>Total</u>	<u>Federal</u>	<u>State</u>	<u>County</u>
Aid paid from 7/1/41 to 11/30/41 exclusive of county supplemental aid	\$225.00	\$75.00	\$100.00	\$50.00
Aid which should have been paid during same period	<u>137.50</u>	<u>68.75</u>	<u>45.83</u>	<u>22.92</u>
Distribution of Adjustment	\$ 87.50	\$ 6.25	\$ 54.17	\$ 27.08
Ratio of participation	100%	7%	62%	31%

In this example had the repayment been made in installments the first \$25.00 received would have been applied to county funds and of each subsequent installment the Federal Government would receive 7%, the State 62%, and the county 31%.

Classification of Collections

Repayments of aid made as a result of any one of the following conditions shall be considered collections:

- A. Voluntary repayments of aid or assistance by recipients.
- B. Claims filed against estates of deceased recipients of aid under former provisions of the OAS law cancelled on November 5, 1940. Cases of this type now should be practically non-existent.
- C. Lump-sum payments from legally responsible relatives covering past periods and upon order of the court.

Allocation of Collections to Periods Covered and Distribution to Agencies

It is understood that a person making a voluntary repayment of aid has the right to state specifically the aid he is repaying. In the absence of such a statement, voluntary repayments, if in amounts less than the total aid paid prior to the date of the repayment shall be considered partial repayments of the total aid paid prior to the date of repayment. The distribution of such amounts shall be proportionate based on the participation by each agency in the total amount of aid paid prior to the date of repayment.

Collections resulting from claims against estates and actions against responsible relatives, if in amounts less than that for which the action was taken shall be considered partial repayments of the amounts for which action was taken. The distribution of such amounts shall be proportionate based on the participation by each agency in the total amount for which action was taken.

Example:

Aid was received by a recipient of Old Age Security at the rate of \$35.00 per month from July 1, 1939, to December 31, 1939, and \$40.00 per month from January 1, 1940, to June 30, 1940. The total amount of aid paid was \$450.00. Of this amount the Federal Government paid

\$210.00, or 7/15; the State paid \$120.00, or 4/15; and the county paid \$120.00, or 4/15. A voluntary repayment of \$25.00 is made by the recipient. The Federal share of this repayment is 7/15 of \$25.00 or \$11.67; the State share is 4/15 or \$6.66; and the county share is 4/15 or \$6.67.

<u>Agency</u>		<u>Federal</u>	<u>State</u>	<u>County</u>
Aid paid	450.00	210.00	120.00	120.00
Proportions		7/15	4/15	4/15
Collection	25.00	11.67	6.66	6.67

Reporting of Collections

Collections shall be reported as usual on the affidavit forms under the items provided and detail shall be shown on forms Ag 40, B1 21, and Ca 34-DFA accompanying each respective claim.

Additional Reports of Adjustments and Collections

Forms Ag 18-DFA, B1 47-DFA, and Ca 53-DFA shall be used to report all repayments of aid. It shall be stated in the space provided on such forms for explanation whether the repayment is an adjustment or a collection. A full explanation of the conditions surrounding the repayment is also requested.

Very sincerely yours

Martha A. Chickerine

MARTHA A. CHICKERING, Director
Department of Social Welfare

(Authority: Sections 1560, 2140, and 3075,
Welfare and Institutions Code)

REPORT OF ADJUSTMENTS

FROM _____ COUNTY _____

FOR AID TO NEEDY CHILDREN

TO ACCOMPANY _____

194_____, MONTHLY CHILDREN'S CLAIM

(1) NAME OF PAYEE FAMILY	(2) NAMES OF CHILDREN FAMILY	(3) STATE NUMBER GIVEN	(4) PERIOD COVERED BY ADJUSTMENT	(5) REASON FOR ADJUSTMENT	(6) TOTAL AMOUNT OF ADJUSTMENT (SEE NOTE BELOW)	(7) FEDERAL	(8) STATE	(9) Do Not Write In This Column

REPORT OF ADJUSTMENTS

FROM _____ COUNTY _____

FOR AID TO NEEDY AGED PERSONS

To ACCOMPANY _____ 19_____, MONTHLY AGED CLAIM

(1) FAMILY	(2) NAME GIVEN	(3) STATE NUMBER	(3) PERIOD COVERED BY ADJUSTMENT	(4) REASON FOR ADJUSTMENT	(5) TOTAL AMOUNT OF ADJUSTMENT	(6) EXCESS	(7) FEDERAL	(8) STATE	(9) REMARKS

Culbert L. Olson
Governor

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STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING

DIRECTOR
Sacramento

December 22, 1941

SOCIAL WELFARE BOARD

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BERKELEY

DEPARTMENT BULLETIN NO. 169

IN REPLY PLEASE REFER

TO:

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Payments of Public Assistance to Japanese Nationals

Attached hereto are copies of General License No. 11A and General License No. 68A, which are the rulings of the United States Treasury Department affecting the payment of public assistance to Japanese Nationals.

The interpretation of these two licenses as they relate to the payment of public assistance funds to Japanese Nationals is as follows:

1. Any person who is an applicant for or recipient of Aid to the Needy Blind and who is a Japanese National may continue to receive payments as heretofore for Aid to the Needy Blind if such person has remained the entire time within the boundaries of the United States since June 17, 1940. It may be assumed that such person has remained within the United States since June 17, 1940, unless you have affirmative information to the contrary.
2. Aid to Needy Children may be paid to a payee who is a Japanese National provided such Japanese National has been within the boundaries of the United States continuously since June 17, 1940.

It may be assumed that such payee has been continuously in the United States since June 17, 1940, unless you have affirmative information to the contrary.

If you have affirmative information that the blind person or the payee in Children's Aid who is a Japanese National has not been continuously in the United States since June 17, 1940, it will be necessary to apply the provisions of License No. 11A, which restricts money payments into a household to \$100 or less per calendar month.

We have not been informed of any restrictions having been issued by the United States Treasury Department on payments of money to Nationals of other countries with whom we are at war. It is, therefore, proper to continue payments to all aliens with the exception of those noted above relating to Japanese Nationals in the same manner as heretofore.

(See Sections 1560 and 3075,
Welfare and Institutions Code)

Very sincerely yours

Marta A. Chickering
MARTHA A. CHICKERING, Director
Department of Social Welfare

- (3) A report on the appropriate series of Form TFR-300 shall be filed with the appropriate Federal Reserve bank within 30 days after the date hereof with respect to the property interests of every person licensed herein as a generally licensed national if the total value of the property interests to be reported is \$1,000 or more.
- (4) Every business enterprise licensed herein as a generally licensed national shall also file with the appropriate Federal Reserve bank within 30 days after the date hereof an affidavit setting forth the information required by Form TFBE-1, if the total value of all property interests of such business enterprise is in excess of \$5,000.
- (5) Banking institutions within the United States effecting payments, transfers or withdrawals in excess of \$1,000 during any month from the account of any person licensed as a generally licensed national hereunder, shall file promptly with the appropriate Federal Reserve bank a report showing the details of such transactions.
- (6) This general license shall not authorize any transaction which, directly or indirectly, substantially diminishes or imperils the assets within the continental United States of any national of Japan or otherwise prejudicially affects the financial position of such national within the continental United States.
- (7) As used in this general license, the term "business enterprise" shall mean any individual proprietorship, partnership, association, corporation or other organization engaged in commercial or other business activities within the continental United States.

E. H. FOLEY, JR.,
Acting Secretary of the Treasury
December 15, 1941"

There is quoted below, for your information, a statement to the press released December 15, 1941, by the Treasury Department respecting such general license.

"The Treasury Department today further relaxed to some extent and under appropriate safeguards the tight restrictions which had been placed upon Japanese residing in this country. It will be remembered that on the outbreak of war the Treasury, as a precautionary measure, placed a complete stoppage on all Japanese financial and commercial transactions and took custody of many Japanese enterprises.

On December 11, the Treasury issued regulations governing living expenses and wages for Japanese nationals in the United States and regulations governing Japanese nationals engaged in the production, marketing, and distributing of food and agricultural products.

The general license issued today by the Treasury unblocks the accounts of Japanese nationals who have resided continuously within the continental United States since June 17, 1940, and permits business enterprises within the continental United States owned and controlled by such Japanese nationals to continue to operate, except in those cases in which Treasury representatives are maintained on the premises or an official Treasury notice is posted indicating that such premises are under government control. It is anticipated that Treasury representatives and posted notices will be removed from the premises of many Japanese enterprises in which they are now maintained, thus allowing such enterprises to resume normal operations under such general license. It is further anticipated that special business operating licenses will be issued to many Japanese enterprises in which Treasury representatives are continued to be maintained allowing such enterprises to operate under government surveillance.

FEDERAL RESERVE BANK OF SAN FRANCISCO

Fiscal Agent of the United States

December 15, 1941

Foreign Funds Control
Circular No. 199

To Banks, Bankers, Trust Companies, and Others Concerned,
in the Twelfth Federal Reserve District.

Dear Sirs:

The Secretary of the Treasury has issued the following general license:

"Code of Federal Regulations
Title 31 Money and Finance: Treasury
Chapter 1 - Monetary Offices,
Department of the Treasury,
Part 131 - General Licenses Under
Executive Order No. 8389, April 10, 1940,
as Amended, and Regulations Issued
Pursuant Thereto. - Section 131.68A

TREASURY DEPARTMENT
Office of the Secretary

General License No. 68A, Under Executive Order No. 8389, April 10, 1940, as
Amended, and Regulations Issued Pursuant Thereto, Relating to Transactions
in Foreign Exchange, etc.*

(1) A general license is hereby granted:

- (a) Licensing as a generally licensed national any individual who is a national of Japan and who has been residing only in the continental United States at all times on and since June 17, 1940, and
- (b) Licensing as a generally licensed national any partnership, association, corporation or other organization within the continental United States which is a national of Japan solely by reason of the interest therein of a person or persons licensed as generally licensed nationals pursuant to this general license.

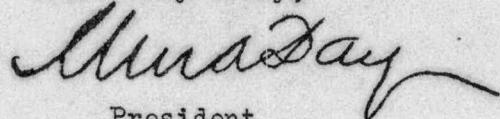
(2) This general license shall not be deemed to license as a generally licensed national:

- (a) Any individual, partnership, association, corporation or other organization on the premises of which the Treasury Department maintains a representative or guard or on the premises of which there is posted an official Treasury Department notice that the premises are under the control of the United States Government, or
- (b) Any bank, trust company, shipping concern, steamship agency, or insurance company, or
- (c) Any person who, on or since the effective date of the Order, has represented or acted as agent for any person located outside the continental United States or for any person owned or controlled by persons located outside the continental United States, or
- (d) Any person who on or since the effective date of the Order has acted or purported to act directly or indirectly for the benefit or on behalf of any blocked country, including the government thereof, or any person who is a national of Japan by reason of any fact other than that such person has been domiciled in, or a subject or citizen of, Japan at any time on or since the effective date of the Order.

Representatives in this country of concerns located abroad or owned and controlled by persons located abroad are excluded from the privileges of the general license.

The Japanese nationals who are given the benefits of today's license are subjected to certain reporting requirements and other restrictions which will constitute safeguards against the abuse of such benefits."

Yours very truly,



President

*Part 131;--Sec. 5(b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; Executive Order 8389, April 10, 1940, as amended by Executive Order 8785, June 14, 1941, Executive Order 8832, July 26, 1941, and Executive Order 8963, December 9, 1941; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941.

ERAL RESERVE BANK OF SAN FRANC 0
Fiscal Agent of the United Stat...

December 11, 1941

Foreign Funds Control
Circular No. 194

To Banks, Bankers, Trust Companies, and Others Concerned,
in the Twelfth Federal Reserve District

DEAR SIRS:

The Secretary of the Treasury has issued the following general license:

"Code of Federal Regulations
Title 31 Money and Finance: Treasury
Chapter 1 - Monetary Offices,
Department of the Treasury,
Part 131 - General Licenses Under
Executive Order No. 8389, April 10, 1940,
as Amended, and Regulations Issued
Pursuant Thereto. - Section 131.11A.

TREASURY DEPARTMENT
Office of the Secretary

General License No. 11A, Under Executive Order No. 8389, April 10, 1940,
As Amended, and Regulations Issued Pursuant Thereto, Relating to Trans-
actions in Foreign Exchange, etc.*

(1) A general license is hereby granted authorizing payments out of the blocked account of any national of Japan in the continental United States for the living and personal expenses of such national and his household; provided that the total payments under this general license from all the blocked accounts of any one national shall not exceed \$100 in any one calendar month.

(2) Banks, employers and other persons making any such payments shall satisfy themselves, through affidavits or otherwise, that payments out of blocked accounts for living expenses for any one national and his household do not exceed \$100 in any one calendar month.

E. H. FOLEY, JR.,

Acting Secretary of the Treasury

December 11, 1941."

Yours very truly,

Alvin Day
President

*Part 131; - Sec. 5(b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; Executive Order 8389, April 10, 1940, as amended by Executive Order 8785, June 14, 1941, Executive Order 8832, July 26, 1941, and Executive Order 8963, December 9, 1941; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941.

Culbert L. Olson
Governor

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STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento
December 29, 1941

SOCIAL WELFARE BOARD
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IN REPLY PLEASE REFER

TO:

DEPARTMENT BULLETIN NO. 169-A

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Payments of Public Assistance
to Enemy Aliens - Aid Pay Rolls

In accordance with the conditions outlined in Bulletin 169 concerning "Payments of Public Assistance to Japanese Nationals," effective with the December, 1941 claims for Aid to Needy Blind and Children the following additions to the affidavits which accompany the aid pay rolls will be necessary in order that the claims may be approved by the State Department of Social Welfare and State Controller:

"That all provisions of the 'Trading with the Enemy Act'
and all licenses issued by the Secretary of the Treasury
pursuant thereto have been complied with."

This addition is to be typed on the present forms just above the spaces provided for signatures of the Welfare Director and County Auditor. As soon as our present supplies are depleted the forms will be revised. In the meantime we are requesting that you add the above paragraph to those now on hand.

The following is a list of the forms involved:

BL 13-DFA - Affidavit to Accompany Blind Aid Pay Roll
CA 26-DFA - Affidavit to Accompany CA Voucher Aid Pay Roll
CA 41-DFA - Affidavit to Accompany CA BH&I Pay Roll

All payments of aid made after December 7, 1941, must be covered by this affidavit.

Instructions for filing claims for administrative expense will follow.

(Authority: Sections 1560 and 3075,)
Welfare and Institutions
Code.)

Very sincerely yours

Marta A. Chickering
MARTHA A. CHICKERING, Director
Department of Social Welfare

Culbert L. Olson
Governor

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540 VAN NESS AVENUE

STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento
December 9, 1941

Honorable Paul Peek
Secretary of State
Room 109, State Capitol
Sacramento, California

SOCIAL WELFARE BOARD

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J. STITT WILSON
1745 HIGHLAND PLACE
BERKELEY

IN REPLY PLEASE REFER

TO:

My dear Mr. Peek:

Attached hereto are three copies of regulations,
currently effective, made by the State Department
of Social Welfare.

These regulations are in accordance with
Article 21 of Chapter 3 of Title 1 of Part 3 of
the Political Code as amended by Chapter 628,
Statutes of 1941.

Very sincerely yours,

Marta A. Chickering

MARTHA A. CHICKERING, Director
Department of Social Welfare

172:387

Attachments

Culbert L. Olson

Governor

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WASHINGTON BUILDING
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SAN FRANCISCO OFFICE
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STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento
December 5, 1941

DEPARTMENT BULLETIN NO. 162 REVISED - A

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Old Age Security
Section 2183

The Social Security Board has informed us there will be no Federal participation in retroactive aid granted under the new amendment to Section 2183 of the Welfare and Institutions Code, effective September 13, 1941. Therefore the paragraphs entitled "Reimbursements" and "Supplemental Claims" on pages 3 and 4 of Bulletin 162 are rescinded and the following instructions will replace them. All remaining paragraphs of Bulletins 162 and 162 Revised (September 10, 1941), continue in full force and effect.

Reimbursement

Federal reimbursement will not be allowed for any retroactive payments for any months between the expiration of the ninety day period and the month in which eligibility is finally established and assistance authorized. For example, in the illustrations under the heading "Amount of Retroactive Grants" (Bulletin 162) showing Board of Supervisors' action taken on January 5, 1942, approving aid to begin November 1, 1941, only the State and County would participate in the aid paid for November and December, 1941; however, there would be Federal participation in the aid paid for January, 1942, as the Board of Supervisors acted in that month.

Supplemental Claims

Supplemental claims may be filed to cover the retroactive aid paid. Such claims should be filed as soon as possible after payment of the retroactive aid, and not later than the tenth of the month following that in which the Board of Supervisors takes action approving the grant.

A separate supplemental claim must be filed for each month involved. Retroactive aid cannot be included in the claims for the current month.

Very sincerely yours

Martha A. Chickering

MARTHA A. CHICKERING, Director
Department of Social Welfare

SOCIAL WELFARE BOARD

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FILED
in the office of the Secretary of State
of the State of California
PAUL PEEK, Secretary of State
DEC 1 - 1941

By

Dep't

Culbert L. Olson

Governor

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616 K STREET

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SAN FRANCISCO OFFICE
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STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING

DIRECTOR

Sacramento

December 5, 1941

DEPARTMENT BULLETIN NO. 106-B

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Aid to Needy Blind
Aid to Partially Self-Supporting
Blind Residents
Continued Eligibility Questioned
on Basis of Physician's Report
of Eye Examination

Department Bulletin No. 106-A issued January 30, 1941, outlines procedure to be followed upon receipt of an alleged resource or other unverified information which raises a question regarding a recipient's continued eligibility. The following procedure shall be applicable to those cases in which a question regarding a recipient's continued eligibility is raised by a Physician's Report of Eye Examination. (See Section 180-50; Manual of Policies and Procedures)

Aid Not
Immediately
Discontinued
on Conflict-
ing Evidence
of Eligibility.

Aid shall not be immediately discontinued upon receipt of a Physician's Report of examination of the eyes of a recipient of aid to the blind which raises a question with regard to the degree of blindness. Such a report shall be considered as conflicting evidence of eligibility in view of the fact that one or more physicians' reports indicating eligibility were previously obtained. An immediate effort shall be made to reconcile the conflict.

Issuance of
Warrant and
Procedure for
Clearance of
Cloud on
Eligibility

The warrant for the coming month shall be issued in the usual manner. Its delivery shall be withheld, but not beyond the end of the month for which it is drawn, while the recipient is given an opportunity to submit a report from another physician. The recipient shall be immediately notified by the county that continued eligibility is questioned, that continuance of aid is dependent upon clearance of eligibility and advised that a report from another physician from the approved list may be submitted.

Release of
First Withheld
Warrant Because
of Inability of
Recipient to
Have Another
Eye Examination.

However, the submission of a report from another physician may be dependent upon factors such as health condition of the recipient, proximity to a qualified examiner, etc. Therefore, if such conditions exist and a report is not submitted by the recipient prior to the end of the month for which the warrant is being held, the withheld warrant shall be released and a second and final notice shall be sent to the recipient together with the released warrant advising that further payment will not be made unless eligibility is immediately cleared.

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Release of
First Withheld
Warrant Because
of Conflict in
Reports of Recent
Eye Examinations.

If a report of examination by another physician is submitted by the recipient and is in conflict with that which raised a question with regard to continued eligibility, the withheld warrant shall be released, provided it is delivered before the end of the month for which it is drawn. An examination by a third physician shall be authorized in order that a decision can be made on the basis of the two reports which agree.

Cancellation of
First Withheld
Warrant on
Verification of
Ineligibility by
Two Physicians'
Reports which
Agree.

If a Physician's Report is submitted by the recipient prior to the end of the month for which the warrant is being held and the findings of the physician are in accord with those which raised a question with regard to continued eligibility, the withheld warrant shall be cancelled and a notice of change discontinuing aid effective with the last day of the month preceding that for which the warrant is cancelled shall be forwarded, after action by the Board of Supervisors, to the State Department of Social Welfare.

Warrant for
Second Month
Issued and
Withheld.

Upon release of the warrant which was withheld because of a cloud on eligibility, the warrant for the next or second month shall be issued and its delivery withheld, but not beyond the end of the month for which it is drawn.

Release of Second
Warrant Upon
Clearance of
Eligibility.

If the third report establishes eligibility for continued payments, the withheld warrant shall be delivered to the recipient and aid shall continue in the amount to which the recipient is eligible. Delivery, however, must take place before the end of the month for which the warrant is drawn. Placement of a warrant in the mail constitutes delivery.

Cancellation of
Second Warrant
Upon Failure of
Recipient to Sub-
mit Another Report
of Eye Examination
or Verification of
Ineligibility.

If the third eye examination report establishes ineligibility or if eligibility is not determined by the end of the second month for which delivery of the warrant was withheld, the warrant shall be cancelled and a notice of change discontinuing aid, effective with the last day of the month preceding that for which the warrant was cancelled shall be forwarded to the State Department of Social Welfare in the usual manner.

Under no circumstances shall warrants for more than two months be issued and withheld pending clearance of eligibility.

Very sincerely yours,

Martha A. Chickeri
MARTHA A. CHICKERING, Director
Department of Social Welfare

Culbert L. Olson

Governor

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STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento
January 12, 1942

Honorable Paul Peek
Secretary of State
Room 109, State Capitol
Sacramento, California

SOCIAL WELFARE BOARD
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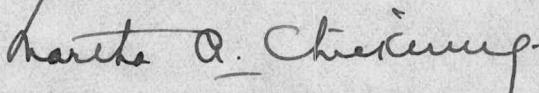
IN REPLY PLEASE REFER
TO:

My dear Mr. Peek:

Attached hereto are three copies of regulations
made by the State Department of Social Welfare.

These regulations are filed in accordance with
Article 21 of Chapter 3 of Title 1 of Part 3 of
the Political Code as amended by Chapter 628,
Statutes of 1941.

Very sincerely yours,



MARTHA A. CHICKERING, Director
Department of Social Welfare

277:112
Attachments

Culbert L. Olson

Governor

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STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

December 24, 1941

FILED
in the office of the Secretary of State
OF THE STATE OF CALIFORNIA

JAN 13 1942
PAUL PEEK, Secretary of State

By _____ Deputy

MANUAL LETTER NO. 17

SOCIAL WELFARE BOARD

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IN REPLY PLEASE REFER
TO: 1297

You receive herewith a revised **Real Property Chapter** and **Revision 1, Fair Hearing Chapter** as adopted by the Social Welfare Board on Nov. 20, 1941; and **Revisions 1 and 2, Applications, Reapplications and Restorations Chapter** adopted by the Social Welfare Board on Dec. 18, 1941.

The Real Property Chapter includes a new separator on which revision numbers 1 through 32 have been stricken through; the next revision you will receive for this chapter will be Revision 33. You will note that there has been some rearrangement of material in this chapter. Some index entries will now be incorrect, but we believe the new table of contents will enable you to locate material without much difficulty until index revisions are issued.

Your attention is directed particularly to the following sections which introduce major changes in policy or procedure:

Sec. 132-20 *Property investigation requirements have been relaxed in certain instances during the present period of hostilities.*

Sec. 132-51 *Discusses the nature of certain future interests in real property.*

Sec. 134-00 *ANC is now included in this section.*

Sec. 135-25 *Formulates policies for determining the duration of ineligibility caused by a transfer of property and for clearing such ineligibility.*

Sec. 135-75 *Foreclosure of a mortgage may be deemed imminent under various circumstances.*

Sec. 135-85 *Has been broadened to include transfers of property to satisfy debts to others as well as to relatives.*

Sec. 135-87 *Formulates the policy to be observed when property is transferred to avoid probate proceedings later.*

MANUAL LETTER NO. 17 (Cont'd.)

Sec. 136-00 Has been revised in accordance with legislative changes in Sec. 2007 of the Welfare and Institutions Code.

Sec. 136-10 ANB and APSB are now included in this section.

The following sections have been deleted, either because they have been combined with other sections, the material is adequately covered elsewhere, they have been renumbered, or, in the case of the Fair Hearing revision, legislative change has rendered them obsolete:

Sec. 130-07, Definition of Combined Real Property. (See Sec. 131-07)

Sec. 132-40, Assessed Value of Community Real Property. (See Sec. 131-12 and Sec. 132-46)

Sec. 132-44, Assessed Value of Combined Real Property. (See Sec. 131-10)

Sec. 132-48, Assessed Value of Real Property Held in Tenancy in Common. (See Sec. 132-46)

Sec. 132-70, Encumbrances of Record Deducted from Assessed Value of Real Property. (See Sec. 132-03)

Sec. 134-20, Acquisition of Real Property by Inheritance. (See Section 132-52)

Sec. 136-25, Transfer of Real Property for Fair Consideration. (See Sec. 135-72)

Sec. 136-30, Transfer of Real Property for Inadequate Consideration. (See Sec. 135-00, Sec. 135-25 and Sec. 135-72)

Sec. 326-15, Fraudulent Appeal.

These rulings become effective immediately. All actions of boards of supervisors on applications and notices of change ninety days or later from the date of issuance of these revisions shall be in accord with them.

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REVISION RECORD

Revisions issued in changing this Chapter will be numbered in sequence. Changes made will be indicated by a vertical line in the margin of the corrected page, against the line or lines changed.

IT IS IMPORTANT that the holder of this Manual check the numbers below, corresponding with the numbers of the revisions when the latter have been incorporated in the Manual and the old pages removed, and that the State Department of Social Welfare be promptly notified in the event a number is passed without receipt of the corresponding numbered sheet.

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FOREWORD

In setting up requirements regarding real property, the legislature presumably kept in mind the advantages of home ownership, and hence, property ownership, e.g., the OAS law specifies that aid shall be provided in the applicant's own home or in some other suitable home in preference to an institution.

The ANC law likewise provides for keeping children "in their own homes whenever possible."

The ownership of real property has long been a symbol of stability, and security. Ownership tends to give the individual a "stake" in his country and enhance his feeling of responsibility as a citizen.

Closely allied to the ownership of land is the sentiment and emotion attached to the word "home." In an attempt to better themselves and their children the purchase of a home has been, for many American couples, a goal to be achieved.

When one realizes the sense of security derived by some people from property and especially home ownership, their tenacity in holding on to property, or in keeping it within the family, is understandable. The aged person often becomes attached to his home and resents any change. In a rapidly changing outside world his home represents the past and the life with which he is familiar. His home may represent his life itself, his work, health, religious, educational and recreational interests over a long period of time. Often the location of the home, in an area where his friends and acquaintances live, is as important as the house itself.

If a person has become blind while living in one home, he may be further handicapped by a move to other quarters. Habit has helped him carry on his activities in a familiar environment. In a new situation a long period of readjustment is necessary. Sometimes this is never fully achieved.

Children, too, derive a feeling of stability from familiar quarters and neighborhoods. Frequent changes may be unfortunate for their development as well as personally distressing.

In dealing with the problems related to real property which are discussed in the following sections, the aforementioned concepts should be borne in mind as a "backdrop."

130-00 Sec. 130-00 Real Property, Provisions of the W. & I. Code

Old Age Security	Aid to Needy Blind Aid to Partially Self-Supporting Blind Residents	Aid to Needy Children
No aid shall be granted or paid to any person who owns real property, the assessed value of which as assessed by the county assessor exceeds \$3000 at the time such person makes application for aid. (W. & I. C. 2164.)	Aid shall not be granted or received by any person who owns personal or real property, or both, the county assessed valuation of which, less all encumbrances thereon of record, is in excess of \$3000. (W. & I. C. 3047 and 3447.)	No aid shall be granted or paid to any child who owns, or whose parent owns real property, the combined assessed value of which as assessed by the county assessor exceeds \$3000 at the time application for aid is made, or while in receipt of such aid. (W. & I. C. 1520.)
No aid shall be granted or paid to any married person, if the assessed value of the combined real property of the husband and wife, as assessed by the county assessor, exceeds \$3000 at the time such person makes application for aid. In computing the value of such property, ownership of property located in another State by a spouse not having a legal residence in California, with whom the applicant has not been living for at least five years preceding the application for aid, shall not preclude the applicant from receiving OAS unless it appears that the applicant has a present legal interest in such property. (W. & I. C. 2165 and 2165-A.)		
Estates for years, when used for the purpose of providing a place of residence for the owners thereof and when such estate is for a period of not less than ten years, shall be considered real property. (W. & I. C. 2163.5.)		
If, at any time during continuance of aid, the recipient or the spouse of the recipient becomes possessed of any property or income in excess of the amount allowed, the recipient shall immediately notify the board of supervisors of the receipt and possession of such property or income. The board may, on inquiry and with the approval of the SDSW, either cancel the aid or vary the amount thereof in accordance with circumstances. (W. & I. C. 2222.)		
Aid shall be granted to any person, otherwise eligible, who has not made any voluntary assignment or transfer of property for the purpose of qualifying for such aid. (W. & I. C. 2160-g.)		
No person shall be denied any aid under this chapter for any transfer of his property which transfer does not deprive him of the present use, enjoyment or income thereof and does not render him ineligible under maximum property limitations. (W. & I. C. 2007.5.)		

Sec. 130-00 Real Property, Provisions of the W. & I. Code (Continued)

130-00

Old Age Security		
Aid granted under OAS Law shall not constitute a lien upon any property of the recipient. (W. & I. C. 2225.)		
Any person who, knowing he is not entitled thereto, obtains or attempts to obtain aid to which he is not entitled, or a larger amount than that to which he is legally entitled, or the payment of any forfeited installment grant, is guilty of a misdemeanor.		
Any person who, knowing that the owner of the property is an applicant, aids or abets in buying or in any way disposing of the property of an applicant shall give fifteen days notice of the intention to make the transfer, to the board of supervisors by serving upon the chairman of the board a declaration in writing setting forth the name of the owner of the property, the fact that he is an applicant, a description of the property sufficient to enable it to be identified with reasonable certainty, and the time and place where the contemplated transaction will be completed. Failure to give such notice shall constitute a misdemeanor. (W. & I. C. 2007.)		
If, on the death of a recipient of OAS, it is found that he was possessed of property or income in excess of the amount allowed by law and that he has not disclosed the same to the board of supervisors, double the amount of aid paid him in excess of that to which he was legally entitled may be recovered by the SDSW as a preferred claim from his estate. (W. & I. C. 2223.)		

130-05 Sec. 130-05 Real Property, OAS Law

OAS

No aid shall be granted or paid to any person who owns real property the assessed value of which, as assessed by the county assessor, exceeds \$3000 at the time such person makes application for aid.

No aid shall be granted or paid to any married person, if the assessed value of combined real property of husband and wife as assessed by the county assessor, exceeds \$3000 at the time such person makes application for aid. In computing the value of such property, ownership of property located in another State by a spouse not having a legal residence in California, with whom the applicant has not been living for at least five years preceding the application for aid, shall not preclude the applicant from receiving OAS unless it appears that the applicant has a present legal interest in such property.

Estates for years, when used for the purpose of providing a place of residence for the owners thereof and when such estate is for a period of not less than ten years, shall be considered real property.

If at any time during continuance of aid the recipient or the spouse of the recipient becomes possessed of any property or income in excess of the amount allowed, the recipient shall immediately notify the board of supervisors of the receipt and possession of such property or income. The board may, on inquiry and with the approval of the SDSW either cancel the aid or vary the amount thereof in accordance with circumstances. (See Sec. 138-00, Excess Assets in Real Property.)

Any person who, knowing he is not entitled thereto, obtains or attempts to obtain aid to which he is not entitled, or a larger amount than that to which he is legally entitled, or the payment of any forfeited installment grant, is guilty of a misdemeanor.

Any person who, knowing that the owner of the property is an applicant, aids or abets in buying or in any way disposing of the property of an applicant shall give fifteen days notice of the intention to make the transfer to the board of supervisors by serving upon the chairman of the board a declaration in writing setting forth the name of the owner of the property, the fact that he is an applicant, a description of the property sufficient to enable it to be identified with reasonable certainty, and the time and place where the contemplated transaction will be completed. Failure to give such notice shall constitute a misdemeanor. (See Sec. 136-00, Notice of Intention to Aid in Transfer of Real Property.)

Aid shall be granted to any person, otherwise eligible, who has not made any voluntary assignment or transfer of property for the purpose of qualifying for such aid. (See Sec. 135-00, Transfer of Real Property to Qualify for Aid.)

No person shall be denied any aid under this chapter for any transfer of his property which transfer does not deprive him of the present use, enjoyment or income thereof and does not render him ineligible under maximum property limitations.

If, on the death of a recipient of OAS, it is found that he was possessed of property or income in excess of amount allowed by law and that he has not disclosed the same to the board of supervisors, double the amount of aid paid him in excess of that to which he was legally entitled may be recovered by SDSW as a preferred claim from his estate. (See Sec. 138-10, Excess Assets in Real Property Discovered at Death.)

Aid granted under OAS Law shall not constitute a lien upon any property of the recipient. (See Sec. 139-00, Liens on Real Property.)

130-10 Sec. 130-10 Real Property, ANB and APSB Laws WELFARE & INSTITUTIONS CODE SECS. 3047; 3447.

ANB; APSB

Aid shall not be received by any person who owns personal or real property, or both, the county assessed valuation of which, less all encumbrances of record, is in excess of \$3000.

130-15 Sec. 130-15 Real Property, ANC Law ANC

WELFARE & INSTITUTIONS CODE SEC. 1520.

No aid shall be granted or paid to any child who owns, or whose parent owns, real property the combined assessed value of which, as assessed by the county assessor, exceeds \$3000 at the time application for aid is made, or while in receipt of such aid.

Sec. 130-25 Real Property vs. Personal Property CIVIL CODE SEC. 657

130-25

OAS; ANB; APSB; ANC

In considering eligibility from the point of view of property, the county must first determine whether property is real or personal. The general distinction has been made that real property is immovable while personal property is movable.

CIVIL CODE SECS. 673-687 INC.

Sec. 131-00 Determination of Ownership of Real Property WELFARE & INST. CODE SECS. 103.5; 103.6; 131-00
OAS; ANB; APSB; ANC 1520; 1560; 2141; 2165; 3047; 3075; 3447; 3460. 2140; 2164

Ownership of real property must be verified in order to establish that property holdings are within the limitations established in the code for the particular category of aid.

Ownership of property is revealed by a search of current property rolls. (See Sec. 135-40, Real Property Search.) There will be occasions in which search of property rolls will indicate ownership of property which does not belong to the applicant. In absence of conflicting information, affidavit of applicant stating that he is not the owner of property in question is acceptable. Proof that he is not the owner is necessary in cases of conflicting information. The affidavit of an applicant regarding recent disposal of property is not in itself proof of eligibility. It is subject to verification.

Sec. 131-05 Ownership of Real Property WELFARE & INST. CODE SECS. 103.5; 103.6; 1520; 1560; 131-05
OAS; ANB; APSB; ANC 2141; 2165.5; 2165; 3047; 3075; 3447; 3460. 2140; 2164

The term "owner" includes all persons who hold legal title to property. It also includes the vendor (i.e., the seller) and the vendee (i.e., the buyer) of real property under a contract of sale.

Property is considered owned if it is held:

1. Clear of all indebtedness;
2. Subject to mortgage, deed of trust, etc.
3. Subject to sale to another party under contract of sale;
4. Subject to purchase from another party under contract of sale;
5. As a homestead;
6. In a life estate contract;
7. In an undistributed estate;
8. In OAS, under lease for a period of not less than ten years and used for a place of residence of the lessee.

Real property may be owned:

1. As separate property;
2. As community property;
3. In joint tenancy;
4. In tenancy in common;
5. In a partnership;
6. By a corporation.

Sec. 131-06 Ownership of Real Property by Indians 24 STAT.L.388; 26 STAT.L. 799; 36 STAT.L. 855; 131-06
OAS; ANB; APSB; ANC 37 STAT. L. 678; WELF. & INST. CODE SECS. 1520; 2165; 3047; 3447. 2164

In considering land occupied by Indians, special care must be exercised to determine ownership of the land. The ward Indian has only an equitable interest in lands held in trust by the United States Government for him. Since title is held by the Federal Government, the property is not subject to assessment or taxation. The value of such property shall not be taken into consideration in determining the eligibility of the Indian for aid. An Indian may live on the reservation and still own land, not a part of the reservation, in his own right. All such real property shall be considered in determining eligibility.

Sec. 131-07 Definition of Combined Real Property WELF. & INST. CODE SECS. 103.5; 2141; 2165; 131-07
OAS 2165A. 2164

Combined real property includes:

1. Community property;
2. Separate property of either spouse (for exception see Sec. 131-20, Ownership of Real Property Outside State by Separated Spouse);
3. Any combination of the above.

131-10 Sec. 131-10 Ownership of Separate and Community Real Property WELF. & INST. CODE SECS. 103.5; 1520; 1560; 2141; 2165; 2165A.
OAS; ANC

The OAS Law does not require differentiation of separate and community real property as all real property owned by either husband or wife, or both, is considered. (For exception see Sec. 131-20, Ownership of Real Property Outside State by Separated Spouse.) If there is income from property, the fact that it is separate or community property shall be ascertained.

The ANC Law does not require differentiation of separate and community property as combined real property of the parent or parents and child or children is considered. However, such differentiation may be necessary when one spouse is a parent and the other a step-parent of child for whom aid is granted, as the step-parent's share of community property or his separate property is not considered in determining eligibility of the child.

131-12 Sec. 131-12 Ownership of Separate and Community Real Property CIVIL CODE SECS. 168A; 162; 163; 164; 687; WELF. & INST. CODE SECS. 103.6; 3047; 3075; 3447; 3460.
ANB; APSB

Determination of the status of all real property as separate or community is necessary in ANB and APSB. Only the separate property of applicant and his share of community property is considered in determining eligibility. All property which an applicant and his spouse hold is presumed to be community property unless applicant can give satisfactory evidence to the contrary.

Responsibility rests with applicant to present proof or supply information which will enable the county to determine the status of property. The fact that property is assessed or recorded in one name only does not necessarily indicate that the property is separate property.

Where community property is involved in ANB or APSB, the interest of each spouse is considered as half the county assessed value of the property.

131-15 Sec. 131-15 Ownership of Combined and Community Real Property CIVIL CODE SECS. 90; 132; C. CIV. PROC. SEC. 473; WELF. & INST. CODE SECS. 103.5; 103.6; 1520; 1560; 2148; 2165; 3047; 3075; 3447; 3460.
OAS; ANB; APSB; ANC

The county assessed value of the property holdings of a separated spouse shall be verified. Even though a husband and wife may have been living separate and apart, in the absence of a final decree of divorce the status of their community property or, in OAS and ANC, combined community and separate property is unchanged and county assessed valuation of all property remains a consideration in determining eligibility according to the respective category of aid. If a legal property settlement has been made but no actual divorce has occurred, the terms of the property settlement determine the status of the property. In OAS and ANC, such property is still considered as part of the combined (community and separate) real property of a couple. (For exception to above in OAS, see Sec. 131-20, Ownership of Real Property Outside State by Separated Spouse.)

Sec. 131-20 Ownership of Real Property Outside State by Separated Spouse WELF. & INST. CODE
OAS SECS. 103.5; 2141; 2165; 2165A

131-20

Real property of a spouse who has not been living with the applicant for at least five years is not considered in determining eligibility in OAS if all the following requirements are met:

1. Such real property is located in another State;
2. It is the property of a spouse who is not a legal resident of California;
3. It is the property of a spouse with whom the applicant has not been living for at least five years preceding the application for aid (it is the presumption that applicant has not been living with spouse within last five years if they have not been members of the same household within that period);
4. The applicant or recipient has no present existing legal interest in the property.

The property laws of the State in which such property is located govern in determining that the applicant does, or does not, have an interest in it. When the applicant claims to have no interest in real property of a nonresident spouse from whom he has been separated for five years, the district attorney in the county of application shall be consulted to determine if the applicant has a present legal interest in such property. Determination of his interest, or lack of it, is not necessary when the county assessed value of the out-of-State property is known and its value together with the county assessed value of all other real property owned by the couple does not exceed \$3,000.

Sec. 132-00 Limitation on Assessed Value of Real Property WELF. & INST. CODE SECS. 1520; 2164;
OAS; ANB; APSB; ANC 2165; 3047; 3447; 3/ 2165A.

132-00

The current county assessed value of real property shall be taken into account in determining eligibility, i.e., the value of real property as entered on the records of assessor of county in which the property is located. The actual value of real property or its saleability is not a factor to be considered in determining assessed valuation for eligibility purposes.

In OAS, the assessed value of combined real property of applicant and spouse shall not exceed \$3,000. For exception see Sec. 131-20, Ownership of Real Property Outside State by Separated Spouse.

In ANC, the assessed value of combined real property of child or children and their parent or parents shall not exceed \$3000.

In ANB and APSB aid shall not be granted any person who owns personal or real property, or both, the county assessed valuation of which, less all encumbrances of record on such property, exceeds \$3,000.

In California, county assessed value is presumed to be fifty per cent of the appraised value of real property.

Sec. 132-03 Encumbrances of Record Deducted from Assessed Value of Real Property WELF. & INST. CODE SECS. 103.6; 3047; 3075; 3447; 3460.

132-03

Encumbrances of record shall be deducted from the county assessed value of real property before the \$3000 limitation on county assessed value is applied in determining eligibility. This applies only in ANB and APSB. Encumbrances include any debt for which real property is security but, to be deductible from the assessed valuation, the encumbrance must be one of public record. The existence, amount, duration, and source of all encumbrances to be deducted from the assessed value of an applicant's property shall be determined and accurately recorded.

A search of the county recorder's records may be necessary for verification of the original amount of an encumbrance against an applicant's real property. Verification of the exact amount and duration of the encumbrance may be made by interview or correspondence with the holder of a mortgage or note and/or by inspection of the recorded document.

Some of the more common encumbrances of record on real property are:

Mortgages
Deeds of Trust
Delinquent Taxes

Assessments
Judgments

Attachments
Liens

132-07 **Sec. 132-07 Determination of Value of Unassessed Real Property** REV. & TAX. CODE SECS. 201; 204; 538; WELF. & INST. CODE SECS. 301; 301.5; 301.6; 1520; 1560; 2141; 2164; 2165; 3047; 3075; 3447; 3460.

When an interest in real property, such as unpatented mining claims, timber, oil or mineral rights or leaseholds, cemetery property held for profit, etc., is declared but is not listed on the local assessment rolls, it shall be referred to the county assessor to determine whether or not it is assessable, and if assessable, its assessed value. The assessed value so determined shall be used in establishing eligibility to OAS, ANB, APSB and ANC.

Burial space is generally considered real property. Property used or held exclusively for burial, *except when held for profit*, is not subject to local assessment. For the purpose of establishing eligibility for aid, when the assessed value of the other real property holdings approaches the maximum permitted for the specific category of aid, the value of any cemetery, mausoleum, or columbarium property intended for the use of the owner or his family shall be determined in accordance with the assessed value of similar property which is held for profit in the same or another comparable cemetery, mausoleum or columbarium. It is suggested as a guide, when the total assessed value of other holdings exceeds \$2800, that such determination be made.

Example a: Mr. A owns three grave plots. One of the plots is occupied, one is reserved for the use of his wife, one for his own use. Comparable lots which are held for profit in the same cemetery are assessed at \$15 each. It would be considered, therefore, that the county assessed value of the remaining plots is \$15 each. The sum of \$30 would be added to the county assessed value of Mr. A's other real property holdings in determining his eligibility according to the provisions of the respective category of aid.

Example b: Mrs. B owns ten cemetery plots which she is holding for investment purposes. The county assessor states that the assessed value of these plots is \$150. The sum of \$150 is added to the county assessed value of Mrs. B's other real property holdings in determining her eligibility according to the provisions of the respective category of aid.

132-10 **Sec. 132-10 Assessed Value Not Affected by Tax Exemptions** REV. & TAX. CODE PART 2, CH.1, ART.1; WELF. & INST. CODE 1520; 2164; 2165; 3047; 3447.

Some persons, including veterans, and in some instances, widows and parents of veterans, are allowed certain exemptions from tax payments, i.e., a fixed sum is deducted from the true assessed value of property before the amount of tax payment is established.

The true assessed value of property is considered in determining eligibility in the categorical aids. Exemptions allowed for tax purposes are not deducted in determining total assessed value.

In some counties, assessors' records show the true assessed value while in other counties the assessed value for tax purposes only is given. The method in use in each county must be ascertained. If the exemption is deducted before entry in the assessor's records the exact amount of exemption must be added to the recorded sum to determine true assessed value.

132-15 **Sec. 132-15 Assessed Value of Real Property Outside of State** WELF. & INST. CODE SECS. 1520; 1560; 2141; 2164; 2165; 3047; 3075; 3447; 3460; 2165A.

Property, both within and without the State, is included in the assessed value of real property. For exception in OAS, see Sec. 131-20, Ownership of Real Property Outside State by Separated Spouse. In other states, assessed value is not necessarily fifty per cent of appraised value as is true in California. The difference in the assessment rate, however, does not affect eligibility for the particular category of aid. (See Sec. 132-30, Determination of Assessed Value of Real Property.)

Sec. 132-20 Real Property Outside U. S. WELF. & INST. CODE SECS. 103.5; 103.6; 1520; 1560; 2141; 2164; 2165; 3047; 3075; 3447; 3460. 132-20
OAS; ANB; APSB; ANC

When real property is located outside the United States, the assessed valuation shall be considered on the basis of rate of exchange in American dollars, regardless of manner by which other units of government determine the assessed value of such property. If, e.g., the Mexican Consul advised that property in Mexico was assessed at 1000 pesos and rate of exchange was 5 pesos to 1 dollar, the assessed value of the property would be \$200.

To obtain information regarding real property located outside the United States, various sources are used. When no language barrier exists, the county may correspond with the unit of government or public official concerned. When a language barrier exists, inquiry is generally directed to an American Consul in the country concerned. The nearest representative of the other country may also be consulted.

During the present period of hostilities, continued ownership of real property located in countries actively at war, or in conquered or occupied areas, is in doubt and the value, if any, of the holdings can not be ascertained. When it is impossible to obtain reasonably positive evidence of eligibility or ineligibility with respect to real property located in such countries, it is the presumption that continued ownership is in doubt and that such property has no present value in determining eligibility. For the present, investigation of such holdings need not be pursued. Upon cessation of hostilities, investigation shall be made through the usual sources available in determining the value of real property in foreign countries, aid to continue during the investigation provided eligibility otherwise exists.

Sec. 132-25 Increase or Decrease in Assessed Value of Real Property WELF. & INST. CODE SECS. 132-25
OAS; ANB; APSB; ANC 1520; 1560; 2141; 2164; 2165; 3047; 3075; 3447; 3460.

Eligibility may be affected by an increase or a decrease in assessed value of real property. The current assessed value is used in determining eligibility.

Sec. 132-30 Determination of Assessed Value of Real Property PROB. CODE SEC. 300; WELF. & INST. 132-30
CODE SECS. 103.5; 103.6; 2141; 2164; 2165; 2165A; 3047; 3075; 3447; 3460.
OAS; ANB; APSB; ANC CIVIL CODE SECS. 678-687 INC.

In OAS, the assessed value of all real property belonging to an applicant and his spouse and in ANC to a child or children and their parent or parents, shall be ascertained. (For exception in OAS, see Sec. 131-20, Ownership of Real Property Outside State by Separated Spouse.) In ANB and APSB, only the assessed value of property belonging to the applicant as separate property, or as his equal share of community property is considered.

The following are examples of real property ownership in which the assessed value shall be considered:

1. Separate property of a single person;
2. Separate property of husband or wife;
3. Separate property of a separated couple (in OAS and ANC); for exception in OAS, see Sec. 131-20;
4. Community property of a couple;
5. Community property of a separated couple;
6. Property held in joint tenancy;
7. Property held in tenancy in common;
8. Property held in a life estate;
9. An interest in an undistributed estate;
10. Property purchased or sold under contract of sale (title not passing);
11. Property purchased under mortgage, deed of trust, etc.

132-46 **Sec. 132-46 Joint Tenancy or Tenancy in Common** CIVIL CODE SECS. 683; 685
OAS; ANB; APSB; ANC

When property is held in joint tenancy or in tenancy in common by one or more persons, the interest of each owner is deemed to be his equal proportionate share of the total assessed value of the property.

132-50 **Sec. 132-50 Life Estate** WELF. & INST. CODE SECS. 103.5; 103.6; 1520; 1560; 2141; 2164; 2165; 3047; 3075;
OAS; ANB; APSB; ANC 3447; 3460.

The county assessed valuation of all real property in which life estate is held, together with all other owned real property, shall be considered in determining eligibility in accordance with requirements of respective category of aid.

132-51 **Sec. 132-51 Remainderman's Interest** CIVIL CODE SECS. 690; 693; 694; 695; 696; WELF. & INST. CODE SECS.
OAS; ANB; APSB; ANC 103.5; 103.6; 1520; 1560; 2141; 2164; 2165; 3047; 3075; 3447; 3460.
CIVIL CODE SEC. 765

The assessed valuation of real property in which a vested future interest is held shall be considered in determining eligibility of the remainderman. If the future interest is contingent, the value of the property shall not be considered in determining his eligibility.

A future interest is vested when the remainderman would have a right to the immediate possession of the property upon the ceasing of the intermediate or precedent interest such as life estate or other intermediate holding. Certain other types are considered contingent interests. It is suggested that whenever question arises as to whether the interest of the remainderman is contingent or vested it be referred to the district attorney for decision.

132-52 **Sec. 132-52 Undistributed Estates** PROB. CODE SEC. 300; WELF. & INST. CODE SECS. 103.5; 103.6; 1520; 1560; 2141;
OAS; ANB; APSB; ANC 2164; 2165; 3047; 3075; 3447; 3460.

The county assessed value of real property in an undistributed estate shall be considered in determining eligibility unless such property is subject to an express provision of the will that it be sold or liquidated. (See Sec. 144-10, Determination of Personal Property Value of Undistributed Estates.) When property is inherited during receipt of aid, its value shall be determined as soon as the county has knowledge of the inheritance.

Ownership is not dependent on distribution of an estate, as title to real property passes to the heirs of a decedent at the moment of his death, subject only to the administration of the estate. The provisions of the will, if any, determine whether real or personal property is received. Section 124 of the Probate Code states that "When a will directs the conversion of real property into money, such property and all its proceeds must be deemed personal property from the time of the testator's death."

Section 300 of the Probate Code states: "When a person dies, the title to his property, real and personal, passes to the person to whom it is devised or bequeathed by his last will, or, in the absence of such disposition, to the persons who succeed to his estate . . . but all of his property shall be subject to the possession of the executor or administrator and to the control of the superior court for the purposes of administration, sale or other disposition . . . and shall be chargeable with the expenses of administering his estate, and the payment of his debts and the allowance to the family"

132-54 **Sec. 132-54 Real Property Bought or Sold Under Contract of Sale (Title Not Passing)** WELF. & INST. CODE
OAS; ANB; APSB; ANC SECS. 103.5; 103.6; 1520; 1560; 2141; 2164; 2165; 3047; 3075; 3447; 3460.

When real property is sold under a contract of sale, title remaining with the seller (vendor), the assessed value of the property, regardless of the seller's equity in it, shall be considered in determining eligibility for aid.

The buyer (vendee) of real property under contract of sale is the owner of an equitable interest in such real property, and is also regarded as the owner of the property. The assessed valuation of property being purchased under contract of sale shall be considered in determining the eligibility of the buyer (vendee) for aid.

If both the seller and the buyer of property being sold under a contract of sale are applying for or receiving aid the assessed valuation of the property is considered in determining the eligibility of each.

Sec. 132-55 Real Property Bought or Sold Under Mortgage or Deed of Trust WELF. & INST. CODE 132-55
OAS; ANB; APSB; ANC SEC. 103.5; 103.6; 1520; 1560; 2141; 2164; 2165; 3047; 3075; 3447; 3460.

When real property is sold and a mortgage or deed of trust is taken as security for the unpaid balance of the sale price, title passes to the buyer (vendee). The assessed value of the property so sold is not considered as real property in determining the eligibility of the seller. The assessed value is a factor in determining the buyer's (vendee's) eligibility as he holds title to the property. (See Section 143-45, Determination of Value of Notes, Mortgages and Deeds of Trust.)

Sec. 132-56 Real Property Lost Through Foreclosure C. OF CIV. PROC. SEC. 675A; 700-707; WELF. & 132-56
OAS; ANB; APSB; ANC INST. CODE SEC. 103.5; 103.6; 1520; 1560; 2141; 2164; 2165; 3047; 3075; 3447; 3460.

When property of an applicant or recipient is lost through foreclosure, title passes to the new owner immediately upon sale of property under the decree of foreclosure. The former owner only has an equity for redemption purposes. The assessed value of the property is not considered in determining eligibility under these circumstances.

Sec. 132-58 Real Property Held in Escrow ~~C. OF CIV. PROC. SEC.~~ 1057; WELF. & INST. CODE SEC. 132-58
OAS; ANB; APSB; ANC 103.5; 103.6; 1520; 1560; 2141; 2164; 2165; 3047; 3075; 3447; 3460.

While real property is held in escrow, title to property does not pass to purchaser but remains with seller. Therefore, the assessed value of property placed in escrow is a factor in determining eligibility.

Sec. 132-60 Real Property Held by Lease WELF. & INST. CODE SEC. 2163.5; 103.5; 2141. 132-60
OAS

For purposes of OAS, a lease shall be considered real property provided there is verification that:

1. The lease is for a period of not less than ten years; and
2. The leased premises are used as a place of residence for the lessee.

When both of these conditions are present the county assessed value of the leased land and the house or other shelter upon it is considered in determining eligibility of the applicant for or recipient of OAS.

Houses, cabins, etc., placed upon leased land with provision in the lease that the house, cabin, etc., remain the property of the lessee represent real property if the above conditions are met. Such buildings are personal property when these conditions are not met.

Sec. 134-00 Purchase of Real Property WELF. & INST. CODE SEC. 103.5; 103.6; 1520; 1560; 2141; 2164; 134-00
OAS; ANB; APSB; ANC 2165; 3047; 3075; 3447; 3460.

Property may be purchased without affecting eligibility for aid provided the assessed value of such property together with the assessed value of all other property owned does not exceed the limitations provided in the law for the respective category of aid.

If a recipient or spouse purchases property, the terms of the purchase and plan of payment shall be ascertained. If it does not appear that the payments can be met out of the known resources and the grant, the possibility of unknown assets or income should be explored.

134-10 **Sec. 134-10 Real Property Sold by Recipient*** WELF. & INST. CODE SECS. 103.5; 103.6; 1520; 1560; 2141; 2163; OAS; ANB; APSB; ANC 1521; 2164; 2165; 3047; 3075; 3447; 3460.

A recipient * who sells real property and receives personal property (cash, or cash and security) which brings his personal property above the maximum allowed for the specific aid is ineligible. However, a recipient remains eligible if prior to the first of the following month he reduces his personal property assets below the allowed maximum for the respective category of aid, and provided he has not disposed of personal property for the purpose of qualifying for aid. For example, reduction of personal property by purchase of another piece of real property does not render the recipient ineligible provided the county assessed value of all real property does not exceed the maximum allowed under the respective category of aid.

The status of the recipient on date that warrant is due for delivery determines his eligibility to continue to receive aid.

Example: A recipient of OAS sold his real property assessed at \$1000 for cash amounting to \$2300 on July 15, 1940. On July 23, 1940, he purchased property assessed at \$1300 for \$2400 cash. He had reported \$250 cash on hand at time of last reinvestigation. Had his personal property assets exceeded the amount allowed in OAS on August 1, 1940, he would have been ineligible for aid on that date. Since he converted his personal property holdings into real property before that date, he was eligible for the August payment as the assessed value of the new property, together with the county assessed value of his other real property, was not in excess of that permitted by the OAS law.

134-15 **Sec. 134-15 Acquisition of Real Property by Exchange** WELF. & INST. CODE SECS. 103.5; 103.6; 1520; 1521; OAS; ANB; APSB; ANC 1560; 2148; 2163; 2164; 2165; 3047; 3075; 3447; 3460.

When property is exchanged, e.g., country property for town property, a large home for a small one, or vice versa, such transfers of property should be arranged with the concurrence of the county.

The use of personal property, even in excess of the maximum allowed, for purchase of real property does not result in ineligibility if the county assessed value thereof, together with other real property, is not in excess of the maximum allowed according to the specific category of aid. (See also Sec. 146-00, Conversion of Property.)

134-30 **Sec. 134-30 Acquisition of Real Property by Gift** CIVIL CODE SECS. 162; 163; WELF. & INST. CODE SECS. 1520; OAS; ANB; APSB; ANC 2164; 2165; 3047.

In determining eligibility, the assessed value of real property acquired as a gift shall be considered according to the provisions of the respective category of aid. Such a gift, however, is the separate property of the person who received it.

* In this section, in ANC, this term includes child or children, and/or parent or parents.

Sec. 135-00 Transfer of Real Property to Qualify for Aid WELF. & INST. CODE SECS. 103; 103.5; 103.6; 135-00
OAS; ANB; APSB; ANC 1529; 1560; 2141; 2160; 2164; 2165; 3047; 3075; 3447; 3460.

No person is eligible for aid if a voluntary assignment or transfer of real property has been made for the purpose of qualifying for aid. If title passed by delivery of the deed prior to the beginning date of the required property search period, it is the presumption, which may be refuted, that the transfer of title was made in good faith and not for the purpose of qualifying for aid or for a larger amount of aid than that to which the applicant otherwise would have been eligible. (See Secs. 135-40, Real Property Search, and 135-60, Investigation Required of Transfer of Property.)

A transfer or assignment of real property by an applicant or recipient in OAS, ANB and APSB, or by parent or parents and/or child or children in ANC, may render him ineligible for aid, even though the value of the property does not exceed the maximum set by law. Responsibility rests with the applicant to present proof or supply information which will make it possible to determine whether a transfer of property affected eligibility for aid.

Sec. 135-15 Transfer of Separate Real Property of Spouse WELF. & INST. CODE SECS. 103; 103.5; 135-15
OAS 2141; 2160; 2164; 2165; 2165A.

An applicant may be ineligible if a voluntary assignment or transfer of real property has been made by his spouse for the purpose of qualifying the applicant for aid. Such an assignment is subject to the same presumption of innocence of intent as is applicable to transfers made by the applicant prior to the beginning date of the required property search. (See Sec. 135-00, Transfer of Real Property to Qualify for Aid.)

When a separated couple have entered into a property agreement more than two years prior to application for aid, transfer of separate real property by the ineligible spouse without consideration does not disqualify the applicant unless there is evidence of collusion for the purpose of qualifying the applicant for aid.

Real property owned by a separated spouse which is exempt from consideration in determining the applicant's eligibility may be transferred at will by the spouse without affecting the applicant's eligibility for aid. (See Sec. 131-20, Real Property Owned Outside State by Separated Spouse.)

Sec. 135-20 Transfer of Separate Real Property of Spouse WELF. & INST. CODE SECS. 103.6; 135-20
ANB; APSB 3047; 3075; 3447; 3460.

Since the assessed value of combined real property is not a factor in eligibility under the ANB and APSB laws, an applicant or recipient may join the spouse in transfer of the latter's separate property without disqualifying himself for aid.

135-25 Sec. 135-25 Duration of Ineligibility Due to Transfer of Property to Qualify for Aid WELF. & INST. CODE
OAS; ANB; APSB; ANC SECS. 103; 103.5; 103.6; 1560; 2007.5; 2141; 2160; 3075; 3460.

When an applicant in OAS, ANB and APSB, or a child in ANC, is disqualified because of transfer of property with intent to qualify for aid, or for a greater amount of aid than that to which he otherwise would be entitled, or with intent to render him eligible to continued receipt of aid, the duration of future ineligibility shall be governed by the following general statement of policy.

It is the presumption, which may be refuted, that the applicant in OAS, ANB and APSB, or child in ANC, becomes ineligible for a period of two years from the date of the transfer. The duration of future ineligibility may be reduced or increased in accord with the probable period that a reasonable return for the grantor's equity in the property, had it been sold, together with other income would have supported the grantor and those dependent upon him. The period shall be based on a monthly rate of expenditure consistent with the Relatives Contribution Scale set forth in Sec. 172-00, Investigation of Responsible Relatives Within State, OAS; e.g., \$94 a month in the case of a single person without dependents, \$144 in the case of a married person without children, etc.

Should the property be reconveyed to the grantor, or should a life estate interest in it be conveyed to him and recorded, or should he receive reasonably adequate consideration for it subsequent to its transfer, the condition which caused ineligibility would no longer exist. Aid shall be granted upon such a determination, provided eligibility otherwise exists.

When the facts demonstrate a desire and effort of the grantor to recover the property, but none of the foregoing adjustments is possible, either because the transferred property has been sold in a bona fide sale to a third party or the equity in it can not be recovered, the duration of ineligibility shall not be held to exceed one year from the date of the transfer.

When a transfer of real property is made with the understanding that the donee will provide care for the donor for the remainder of his life, such donor is ineligible, as he has entered into a contract for life care, unless there is evidence that such contract is not enforceable.

135-40 Sec. 135-40 Real Property Search WELF. & INST. CODE SECS. 103.5; 103.6; 1520; 1560; 2141; 2160; 2164; 2165;
OAS; ANB; APSB; ANC 2165A; 2140; 3047; 3075; 3447; 3460

The assessed valuation of all real property shall be verified from the current records of the county assessor or tax collector. This applies to real property located outside the limits of the county in which application is made as well as to property located in the county. (For exceptions to this entire section, see Sec. 131-20, Ownership of Real Property Outside State by Separated Spouse, and Sec. 132-20, Assessed Value of Real Property Outside U. S.)

A property search covering a two-year period prior to application is required in determining eligibility. It serves a double purpose as it establishes the county assessed value of property currently owned and may reveal transfer or assignment of real property.

The two-year search for the purpose of ascertaining whether any property transfer has been made requires a review of records of the county assessor, tax collector or recorder since July 1, 1939. This date is advanced automatically one year on July 1st of each succeeding year.

The property search shall be made in the name of the applicant and the applicant's spouse in OAS, ANB and APSB unless there is proof of the spouse's death, of marriage annulment or of final decree of divorce. In such event search need be made in applicant's name only. When the couple is separated but a final decree of divorce has not been obtained, the property search in the spouse's name shall be made in the county of application and such other counties wherein the spouse might reasonably be expected to own property.

In ANC the names and localities in which property searches are made will be determined by the facts in each case as revealed by the investigation. Such investigation shall include a follow-up of any statements or information obtained from the applicant regarding the possibility of property ownership through the existence of an estate. If the parent or parents are living, a search always shall be made in their names in the county of application and in any other localities where it is reasonable to believe that property may be owned or may have been owned within recent years. A search in the names of children also shall be made if the investigation reveals any probability of property ownership in their names. When the children are whole orphans, the property search shall be made in the names of the children in the localities suggested by the investigation.

In general, when the applicant in OAS, ANB or APSB declares that no transfer of property has been made, and when the property listed for the first-year period of the search appears on the rolls for the second year it may be assumed that no transfer took place. This same assumption applies in ANC to the declaration of the applicant, parent, guardian and person in loco parentis.

When property listed for the first-year period of the search does not appear on the rolls for the second year, review of the recorder's records is necessary. The recorder's records reveal the terms of the transfer; i. e., for a consideration, as a gift for love and affection, with retention of life estate, etc. Contracts, mortgages or deeds of trust which have been recorded are also shown on these records and these are important in determining eligibility regarding personal property holdings and income.

The consideration stated in the deed is often nominal and not the true consideration. The exact amount of the consideration can not be determined from the recorder's records but the amount of revenue stamps attached to the instrument reveals the consideration within certain limits. A 55¢ revenue stamp (formerly 50¢) is attached for each \$500 of the consideration, e. g., three revenue stamps would indicate a consideration of not more than \$1500.

A search of the assessor's and recorder's records for longer than a two-year period is necessary if information secured from the applicant or through other sources indicates that property may have been transferred for purpose of qualifying for aid. The facts regarding each transfer must be established by investigation and the nature thereof will vary with the situation. (See Sec. 131-00, Determination of Ownership of Real Property.)

Eligibility is not established in OAS, ANB and APSB if the assessed valuation of all real property in the county of application has not been determined or the two-year property search in the county of application has been requested but no report obtained. A search of the rolls for the current year only does not establish that there was no transfer or assignment of property for the purpose of qualifying for aid.

When there is reason to believe that property may be owned or may have been owned within recent years in another county or state, the assessed valuation of such property shall be verified and a two-year property search shall be requested. Within California this may be done by correspondence with the county welfare department in the county in which the property is located, rather than through the office of the assessor, tax collector, or recorder. To verify the assessed valuation of property located outside the state, correspondence should be directed to the county assessor, or other proper public official, or to the county welfare department.

When the assessed valuation of out-of-county property and the results of a two-year property search are requested and a thirty-day follow-up brings no response, the granting of aid need not be delayed if the applicant or child/children for whom ANC is requested are otherwise eligible provided that:

1. Investigation has revealed no information which suggests that a transfer of property has been made for purpose of qualifying for aid, and
2. Tax bills or receipts in possession of the applicant for the required two-year period reveal no change in real property holdings and establish the current assessed value of the property declared.

The county shall, however, continue effort to secure a report of the assessed valuation and the two-year property search from the proper out-of-county officials.

135-60 **Sec. 135-60 Investigation Required of Transfer of Property** OAS; ANB; APSB; ANCCIVIL CODE SECS. 1054; 1055; 1056; 1057; WELF. &
INST. CODE SECS. 103.5; 103.6; 1180; 1560; 2140;
2141; 3075; 3460.

A complete investigation shall be made and a report, including the reason for the transfer and the consideration received by the applicant, shall be in the county record for each transfer made after the beginning date of the required property search in each case.

Determination of the date of delivery of the deed is necessary when title to property that was recorded in the name of an applicant or recipient in OAS, ANB and APSB, parent or parents and/or child or children in ANC, has been recorded in the name of another since the beginning date of the property search. As title passes with delivery of the deed, the important date is the date of delivery rather than the date of recordation. When delivery is determined to have been made prior to the beginning date of the property search, it is presumed that the transfer was not made for the purpose of qualifying for aid. When information is obtained tending to refute such presumption, investigation covering whatever period is involved is necessary.

When it is claimed that a transfer ante-dated the property search period, responsibility rests with the applicant or recipient to produce evidence or to give information which will enable the county to determine when delivery of the deed was made, i.e., that title to the property passed to the grantee.

135-70 **Sec. 135-70 Determination of Reason for Voluntary Transfer of Property** OAS; ANB; APSB; ANC

WELF. & INST. CODE SECS. 103.5;

103.6; 1520; 1560; 2140; 2141; 2160c; 2164; 2165; 3047; 3075; 3447; 3460.

Since transfer of property to qualify for aid involves the determination of intent, it is difficult to formulate rules and regulations applicable in all cases. Decision on eligibility in cases where a transfer of property has occurred may be more difficult than when other more objective factors of eligibility are considered.

The acts of the grantor and/or the facts and circumstances surrounding the transfer shall be examined and weighed. If they support the grantor's statement that there was no intent to qualify for aid and the desired objective of the grantor could not have been realized without depriving himself of the use, enjoyment and income from the property, aid shall be approved if other eligibility requirements are met. Otherwise, aid shall be denied.

Among the factors to be taken into consideration in making the foregoing determination are:

1. Date of the transfer;
2. Consideration received (See Sec. 135-72, Transfer of Real Property for Fair Consideration);
3. Value of the property, including the amount of any mortgage, delinquent taxes, or other assessments and encumbrances which affect the value of grantor's equity;
4. Reason for the transfer;
5. Amount of income derived from the property;
6. Physical ability of the grantor to continue the operation that produced the income; efforts toward lease or sale of property in the event of inability to continue its operation;
7. Person in receipt of the income prior and subsequent to the transfer;
8. Threat of foreclosure, if any;
9. Ability of grantor to meet mortgage or assessment payments.

Example A: The transfer, without consideration, involved farm or other income producing property and was said to have been made because of grantor's inability to operate the property due to advanced years or physical impairment. Upon a showing that a reasonable effort to sell the property has been unsuccessful, that the property could not be leased, that life estate or other arrangements to preserve the grantor's right to the use, enjoyment and benefits of the resource or its equivalent were not feasible, the transfer is determined not to have been made for the purpose of qualifying for aid or for a greater amount of aid.

Example B: The transfer involved property in which there was no immediate danger of foreclosure but there was inability on the part of the grantor to meet current taxes, assessments or upkeep expenses which, if permitted to become delinquent, would jeopardize the grantor's equity. Upon a showing that a reasonable effort to sell all or a portion of the property had been unsuccessful, or that adequate income to meet the current cost of taxes, assessments, upkeep, etc., could not be realized from it and that no arrangement to give the grantor the equivalent of the value of occupancy was feasible, the transfer is not considered as having been made for the purpose of qualifying for aid or for a greater amount of aid.

Sec. 135-72 Transfer of Real Property for Fair Consideration WELF. & INST. CODE SECS. 103.5; 103.6; 1560; 2141; 2007.5; 2160G; 3075; 3460. 135-72
OAS; ANB; APSB; ANC

A transfer of real property which results from a sale in which the grantor receives a reasonably adequate sum of money and/or securities in return for his equity in the property does not result in ineligibility. Likewise a transfer made to satisfy an existing debt or obligation in an amount which represents a reasonably adequate consideration for the grantor's equity does not result in ineligibility. (See Sec. 135-85, Transfer of Real Property to Satisfy Debt.)

A fair consideration does not necessarily imply full reimbursement for all funds expended on the property transferred. Changing property values often result in receipt of less than the investment. A reasonable estimate of the equity may be obtained by deducting the amount of indebtedness against the property from the current market value. Persons who know local real estate values, such as local bankers or licensed real estate brokers, may be consulted for such an estimate.

Sec. 135-75 Transfer of Real Property When Foreclosure Imminent WELF. & INST. CODE SECS. 103.5; 135-75
OAS; ANB; APSB; ANC 103.6; 1560; 2141; 2160G; 3075; 3460.

Transfer or assignment of real property when foreclosure is threatened, or when it is clear that such property can not be retained, is not held to be for the purpose of qualifying for aid, unless there is evidence of collusion. If notice of foreclosure has been given, the giving of a quitclaim deed to the mortgagor would not necessarily be a disqualifying factor. This applies regardless of the value of the property.

When there is evidence that a grantor was unable to refinance the property due to the necessity for payment of a substantial sum on the principal or because of his advancing years and diminishing ability to repay, the transfer may be held to involve property in which foreclosure was imminent.

When property is transferred because of imminence of foreclosure, the possibility of the grantor receiving cash or its equivalent such as free rent in return for any equity he may have had in the property shall be explored.

135-80 **Sec. 135-80 Transfer of Real Property with Reservation of Life Estate Interest** WELF. & INST. CODE SECS.
OAS; ANB; APSB; ANC 103.5; 103.6; 1560; 2007.5; 2148; 3075; 2140; 3460.

The transfer of title to real property with reservation of the full privileges and responsibilities of life estate is not interpreted as a voluntary assignment or transfer of property for the purpose of qualifying for aid. (See Glossary re responsibility and privileges of life tenants.)

It is the presumption, which may be refuted, that a life estate agreement drawn more than two years prior to the application for aid stipulating that the remainderman shall be responsible for the payment of taxes, or for encumbrances which were not placed upon the property by him, was not made for the purpose of qualifying the recipient for a greater amount of aid than that to which he would otherwise be eligible. When it is established that the property was encumbered by the remainderman, either before or after the execution of the agreement creating the life estate and the agreement stipulates that the remainderman is responsible for payment of such encumbrance, such a limited life estate does not render the life tenant ineligible for aid, even though the agreement may be of recent date.

There must be written evidence of life estate. Such evidence may appear in the body of the deed which is executed and delivered to the remainderman or may be evidenced by a separate written agreement between the parties, wherein the remainderman conveys a life estate to another and retains the remainder for himself. In order for the evidence to be complete and acceptable, such an agreement must be recorded.

135-85 **Sec. 135-85 Transfer of Real Property to Satisfy Debt** CIV. CODE SECS. 197; 206; 210; 211; 212; WELF. & INST.
OAS; ANB; APSB; ANC CODE SECS. 103.5; 103.6; 1560; 2160a; 2140; 2141; 3075;
3460. CIVIL CODE SECS. 196; 196a; 200.

When satisfaction of a debt is given as the reason for a transfer of property, existence of the obligation and its amount shall be verified. Eligibility is not impaired if there was an existing bona fide debt in an amount which represented a reasonably adequate consideration for the grantor's equity in the property. Evidence which may be considered in proving the existence of an obligation includes promissory notes, receipted bills, records of payments on account or bank books, affidavits of creditors or other responsible persons, etc.

Due to the mutual obligation existing between parent and child, support given by one to the other is not held to represent a valid debt unless there is evidence that the child became indebted in order to render the assistance or that the assistance given otherwise resulted in undue hardship on him or his immediate family.

Complete information shall be secured regarding any loan from a legally responsible relative for which transfer of property was intended as repayment. The following questions suggest the type of information to be secured when investigating a transfer of property to a relative in satisfaction of a past obligation:

1. Had the responsible relative reached his majority at the time the purported loan was made? (If the relative was a minor, there is the possibility that his earnings and services were legally the property of his parent.)
2. Were the resources of the responsible relative when the purported loan was made such that he might reasonably have advanced the sum in question?
3. If the child himself became indebted in order to negotiate the loan, is there evidence to establish this fact?
4. Was the debt declared during the investigation of the application for aid?
5. Are there other persons having intimate knowledge of the transaction who will make affidavit thereto including the facts on which their knowledge is based?
6. Are there receipted bills, cancelled checks, letters, etc., supporting the statement that the obligation exists?

The foregoing questions are not intended to be all inclusive as the investigation to be made will be governed by the circumstances in the specific case. They are merely designed to exemplify the type of information which should be evaluated when considering the validity of the debt to a responsible relative.

Transfer of title because of the grantor's belief that an obligation exists, either to a relative or a friend, for past service or assistance rendered, there being no recognition or evidence of a bona fide debt, results in ineligibility. It is expected that life estate to insure the use, enjoyment and income from the property will be retained when transfer is made under these conditions.

Sec. 135-87 Transfer of Property to Avoid Probate Proceedings WELF. & INST. CODE SECS. 103.5; 135-87
OAS; ANB; APSB; ANC 103.6; 1560; 2007.5; 2141; 2160G; 3075; 3460.

Transfer of title to property because of the grantor's serious illness or realization of advancing years in order to avoid probate proceedings in the event of death results in ineligibility unless life estate to insure the use, enjoyment and income from property is retained.

Sec. 135-90 Discovery After Aid Granted of Transfer of Real Property WELF. & INST. CODE SECS. 135-90
OAS; ANB; APSB; ANC 1506; 2222; 3006; 3405.

Sometimes a transfer of property is discovered which was not declared either at the time of application or later and which was not found during the original investigation. Eligibility shall be redetermined in the light of the new information. Any excess aid received is considered as a debt to the State and county, and is subject to recovery from assets the recipient may have other than the grant of aid. Action may be brought to secure restitution.

Sec. 136-00 Notice of Intention to Aid in Transfer of Real Property WELF. & INST. CODE SEC. 2007 136-00
OAS

Any person, who, knowing that the owner of the property is an applicant, aids or abets in buying or in any way disposing of the property of an applicant shall give fifteen days notice of the intention to make the transfer, to the board of supervisors by serving upon the chairman of the board a declaration in writing setting forth the name of the owner of the property, the fact that he is an applicant, a description of the property sufficient to enable it to be identified with reasonable certainty, and the time and place where the contemplated transaction will be completed. Failure to give such notice constitutes a misdemeanor.

Sec. 136-10 Recipients' Responsibility in Transferring Property WELF. & INST. CODE SECS. 103.5; 136-10
OAS; ANB; APSB; ANC 103.6; 1560; 2141; 2222; 3075; 3460.

It is the responsibility of recipients of OAS, ANB, APSB, and ANC to keep the county informed regarding all changes in their financial situation. It is expected that any contemplated disposal or acquisition of property will be brought to the attention of the county at once. The county is then in a position to determine the effect, if any, of the transfer upon eligibility for continued aid.

138-00 **Sec. 138-00 Excess Assets in Real Property**
OAS; ANB; APSB; ANCWELF. & INST. CODE SECS. 103.5; 103.6; 1520; 1506; 1560; 214L;
2222; 2164; 2165; 2165A; 3006; 3047; 3075; 3405; 3447; 3460.

If at any time recipient becomes possessed of real property in excess of the amount allowed, recipient shall immediately notify county of acquisition of such real property. Aid shall be immediately discontinued and an effort made to secure restitution if payment of aid was made during a period when recipient was ineligible.

In OAS, this applies also to property received by the spouse of the recipient (for exception see Sec. 131-20, Ownership of Real Property Outside State by Separated Spouse).

In ANC, it applies only to property received by the parent or parents and/or the child or children.

In ANB and APSB, it applies only to the recipient of aid.

138-10 **Sec. 138-10 Excess Assets in Real Property Discovered at Death**
OASWELF. & INST. CODE SEC. 2223
PROBATE CODE SEC. 700

If upon the death of a recipient of aid, it is found that he had property or income, in excess of that allowed, which had not been disclosed to the county, double the amount of excess aid paid him may be recovered by the SDSW.

When this situation arises, the county shall at once send a full report to the SDSW who in turn shall initiate the proper action for double recovery from the estate.

Excess assets may be discovered through reports from private individuals, a search of probate records, or county officials such as the public administrator, auditor, district attorney, etc.

If recovery of excess aid is to be made, claims against an estate must be filed within six months of date of publication of notice to creditors.

139-00 **Sec. 139-00 Liens on Real Property**
OAS; ANB; APSB; ANC

WELF. & INST. CODE SECS. 103.5; 103.6; 1560; 214L; 2225; 3075; 3460

Aid granted under the provisions of the OAS, ANB, APSB or ANC Laws shall not constitute a lien upon any property. In ANC this also applies to aid granted under the act in excess of \$22.50 per child.

When a lien, deed or mortgage is taken to secure GR reimbursement, it shall be so worded as to obtain satisfaction for GR alone.

139-15 **Sec. 139-15 Liens and Quiet Title Actions**
OAS

WELF. & INST. CODE SECS. 2227; 2228; 2230

In any case in which the board of supervisors or the SDSW has authorized or has purported to authorize the release of any lien created, or to convey any title acquired under provisions of Chapter 530, of the Statutes of 1929, and in any case in which a mortgage, deed of trust or other lien upon the property affected thereby, has been foreclosed, any person interested in the property which was or might have been affected by said lien, may bring an action against the county and State of California to have determined the validity of any such release and to quiet title against the county and the State. The county and the State of California may be named as parties defendant in any action brought to foreclose any mortgage, deed of trust, or other lien existing upon the property affected by any such lien and in any action affecting the title to said property and the county and the State shall be bound by a judgment rendered in such action in the same manner as other lien claimants and defendants. In any action authorized by section 2230 of the W. & I. Code, service of process shall be made upon the chairman of the board of supervisors for the county and upon the Director of the SDSW for the State.

Sec. 200-05 Laws Relating to Applications, Reapplications and Restorations

200-05

OAS WELF. & INST. CODE SECS. 2180; 2140; 2022; 2182; 2160E; 2160.6.

The county shall receive and act upon applications for aid in accordance with the provisions of the OAS Law.

The SDSW shall have the power to prescribe the form of application, the manner and form of all reports and such additional rules and regulations as are necessary for the carrying out of the provisions of the OAS Law.

Every applicant for aid under the OAS Law shall file written application with the county in which he resides. This application shall be in the form prescribed by the SDSW and shall be filed in the manner so prescribed. All statements in the applications shall be verified, under oath, by the applicant.

An applicant whose OAS application has been rejected may not again apply for such aid until the expiration of one year from the date of the previous application except with the consent of the county or on order of the SDSW.

An inmate of any public home for the aged or any public home or any public institution of custodial, correctional or curative character may make an application for aid under the OAS Law. His application shall be investigated and acted upon without delay in the same manner as applications of other persons are acted upon, while he is an inmate. If he is otherwise qualified under the OAS Law, his application shall be approved.

If a recipient of OAS becomes ineligible for aid due to confinement in an institution or hospital, the order of the board of supervisors discontinuing aid may provide that aid shall be restored by the county auditor when the recipient ceases to be an inmate, without further order from the board of supervisors.

Sec. 200-10 Laws Relating to Applications and Restorations

200-10

ANB; APSB WELF. & INST. CODE SECS. 3044; 3080; 3081; 3077; 3444; 3460; 3470.

The SDSW shall prepare application blanks for use of applicants for aid. The county shall give application blanks to any one residing in the county who requests such blanks.

Each applicant shall file with the county in which he resides an application, accompanied by an affidavit, signed by himself, stating, if known, his age, sex, counties of residence during the preceding ten years, his financial resources and income, the name and address of his spouse, parent or adult child, the degree of his blindness, how long he has been blind, what employment and education he has had, his general physical condition and such other statistical data as the SDSW requires.

An inmate of an institution supported in whole or in part by the State or any of its political subdivisions may make an application for aid. His application shall be investigated and acted upon without delay in the same manner as applications of other persons are acted upon while he is an inmate of such an institution. If he is otherwise qualified his application shall be approved.

If a recipient becomes ineligible for aid due to confinement in an institution or hospital, the order of the board of supervisors discontinuing aid may provide that the aid shall be restored when the recipient ceases to be an inmate, without further order from the board of supervisors.

Sec. 200-15 Laws Relating to Applications

200-15

ANC WELF. & INST. CODE SECS. 1550; 1557.

Except as provided in Section 1557 of the W. & I. C., application for aid in behalf of any child shall be made to the county in which the child has residence as defined in Section 1526 of the W. & I. C. or if the child has no such residence in any county but is otherwise eligible, his application may be made through the county in which he is at the time of application.

An institution maintaining a needy child may make application to the SDSW for aid for the child. Section 1526 of the W. & I. C. does not apply to an application for aid under the ANC Law when such application is filed with the SDSW by the institution.

201-00 **Sec. 201-00 Definition of Application** WELF. & INST. CODE SECS. 103; 103.5; 103.6; 1557; 1560; 2140; 2141;
OAS; ANB; APSB; ANC 3075; 3460; 3080.

A request for public assistance is considered an application when the application form (Ag, Bl, CA 200, or Bl 200A) has been completed, signed by the applicant, acknowledged and filed with the county. (Applications from institutions for ANC may be filed directly with the SDSW rather than with the county.)

The application form shall be signed by the applicant and acknowledged by a properly qualified official as soon as administratively feasible and not later than the time of the first interview unless the applicant appears to be definitely ineligible under the law, is convinced that he does not qualify for aid and does not desire to continue with the application. If a guardian has been appointed see Sec. 201-10, Person Making Application.

Persons who are obviously ineligible but who are not convinced of their ineligibility have the right to make an application, which shall be investigated as other applications are investigated.

A written record shall be kept of all requests for aid even though the application form is not signed. When a person withdraws his application, the information secured during the interview will be helpful in the event of a reapplication or a complaint.

201-05 **Sec. 201-05 Place of Making Application** WELF. & INST. CODE SECS. 103; 103.5; 103.6; 1560; 2140; 2141;
OAS; ANB; APSB; ANC 3075; 3460.

The application may be completed in the county office, in the applicant's home, in another place satisfactory to both, or in OAS, ANB and APSB in an institution.

201-10 **Sec. 201-10 Person Making Application** WELF. & INST. CODE SECS. 103; 103.5; 103.6; 2140; 2141; 2180; 3075;
OAS; ANB; APSB 3081; 3460; 3470.

The applicant shall sign the prescribed application forms and give the necessary information unless he has a guardian of the person or of the estate in which case both the guardian and the person shall sign the application as data on the application form includes material which is known to each. When the guardian is guardian of both the person and the estate, only the signature of the guardian is required.

A representative or agent may not sign the application form for the person.

201-15 **Sec. 201-15 Person Making Application** WELF. & INST. CODE SECS. 103; 103.5; 1550; 1557; 1560.
ANC

A parent, guardian, relative, or person in loco parentis may sign an application for a child or children. It is generally preferred that the person with whom the child is living sign the application.

However, when a child is in a boarding home or institution, the application shall be signed by the parent, guardian, or person responsible for the placement of the child.

When children of the same parent are living in different homes, separate applications may be made for the group in each home, or one application may be made for all the children.

201-20 **Sec. 201-20 Right to Make Application** WELF. & INST. CODE SECS. 103; 103.5; 103.6; 1550; 1557; 1560;
OAS; ANB; APSB; ANC 2140; 2141; 2022; 2160E; 2180; 2181; 2182; 3044; 3075; 3080; 3081;
3444; 3460; 3470.

Any person who believes that he meets the requirements of a specific category of aid has the right to apply for such aid and his application shall be received by the county. In ANC, this applies to the person who makes application for aid for the child. (See Sec. 201-00, Definition of Application.)

One who believes that he meets the eligibility requirements of more than one category of aid has the right to choose the type of aid for which he will apply.

Statements II, III and IV on the ANC application provide a basis for the county to secure information and start investigation regarding classification, residence and need. The sub-category under each heading need not be designated.

In OAS, the applicant's statement of age should be given in years only. When exact age is not known, the approximate age should be given. The age in years is considered to be the age at the last birthday. In ANB and APSB, the birth date should be given, if known.

In OAS, the birthplace should include city and/or county and State and/or country.

When the OAS, ANB or APSB applicant can not give the exact date residence was established in the county, the approximate date should be entered.

In OAS, ANB and APSB, the name of the spouse should be given even though the spouse is deceased or divorced.

The number of living children as known to the applicant should be stated in OAS and listed by name and address in ANB and APSB. When children's whereabouts are unknown, they should be considered as living. In ANB and APSB, the contribution from relatives which is listed should be the actual contribution.

When a guardian makes application in OAS, ANB, or APSB, the full name of the applicant should be used at the top of the blank. For the signature at the bottom of the blank, the guardian should sign his own name as legally appointed guardian of the applicant, e.g., John Doe, legally appointed guardian of Richard Roe.

When the applicant or guardian is unable for any reason to sign his name, a mark (including a thumb print) may be used.

Two persons are required to witness a mark (including a thumb print) which serves as a signature to a sworn statement.

When a mark is used, the signature shall be as follows:

his
John X Jones
mark

Signature or Mark of Applicant

Witness to Mark

Witness to Mark

An applicant who usually affixes his signature by printing may sign his name in this manner. A typewritten name, a carbon copy of a signature, or a rubber stamp imprint does not constitute a signature.

The above comments regarding form of signature, etc., apply to all forms which the applicant and/or his guardian and/or spouse may be required to sign.

The applicant's signature on the application shall be acknowledged under oath or affirmation before someone who is authorized to take such acknowledgement.

When the person administering the oath is a witness to the mark (including a thumb print), his signature must appear twice, once as a witness to mark (including a thumb print) and again in certificate of acknowledgement.

Whenever the oath of an affiant or the affidavit of a person is necessary in order that a person may obtain charity or relief from an agency or department of the U. S. Government, State of California, or any political subdivision thereof, no fee shall be charged for the taking of such oath.

The date on the application form is the date of acknowledgement.

WELF. & INST. CODE SECS. 103; 103.5; 103.6; 2140; 2022; 2160;

202-55 Sec. 202-55 Application Made Pending or After Parole From State Hospitals 2141; 2180; 3044; 3075;

OAS; ANB; APSB

3081; 3077; 3444; 3460; 3470.; 6660.

The following procedure shall be followed in applications for OAS, ANB, and APSB of persons who are about to be paroled from State hospitals:

The Department of Institutions will write to the county in which the inmate had residence at the time of commitment, requesting that his application for OAS or ANB be taken. The letter shall include, in addition to a resume of the social data in the institution records, the following information:

1. That satisfactory home placement will be available for applicant when eligibility for public assistance is determined;
2. That applicant is ready for parole;
3. That the Department of Institutions will assume full responsibility for his release and welfare and will provide adequate supervision for him in his own home, the home of relatives, or a boarding home licensed and selected by it.

Unless the information submitted indicates that the parolee is obviously ineligible, the county of residence will send the application form to the State Department of Institutions, which department will be responsible for securing a signed and properly acknowledged application. The application interview will be taken by the social worker of the institution.

Application for appointment as guardian of estate of parolee may be made by an officer of the Department of Institutions. When a guardian has been legally appointed, he and the parolee will each sign the application form (Ag, Bl 200 or Bl 200A) which will be sent with guardianship papers to the county.

When a parolee is living in the county in which he has the required period of residence, he will make the application in the usual manner. (See Sec. 201-05, Place of Making Application.)

When a parolee is living in a county in which he does not have the required length of county residence, he should be referred to the Department of Institutions to make application. They shall refer his request for aid to the county in which he had the required residence prior to commitment. The procedure outlined above for persons applying for aid pending parole shall then be followed.

210-00 Sec. 210-00 Reapplications

WELF. & INST. CODE SECS. 103; 103.5; 103.6; 1560; 2140; 2141; 2182;

OAS; ANB; APSB; ANC

3075; 3460.

A reapplication is a request for assistance received by the county from or on behalf of a person (1) whose former application has been denied or has been voluntarily withdrawn, or (2) whose aid has been discontinued for a period of more than twelve months (for exception in ANC see Sec. 201-25, When Application to Be Taken). A new application (Form Ag, CA, Bl 200 or Bl 200A) is required for each reapplication, except on cases granted aid on appeal to the SSWB when a new application is not required.

210-05 Sec. 210-05 Right to Make Reapplication

WELF. & INST. CODE SECS. 1560; 2182; 3075; 3460.

OAS; ANB; APSB; ANC

An applicant whose application for OAS has been denied by the county may not again apply for such aid until the expiration of one year from the date of the previous application except with the consent of the county or on order of the SDSW. The county shall accept such reapplication when a change in the applicant's circumstances may have rendered him eligible or on the presentation of new evidence regarding eligibility.

There are no restrictions on the right of a person to reapply for ANC for a child or for ANB or APSB with the following exception. When application for APSB is denied and application for ANB is granted, a reapplication for APSB may not be made for a period of one year from date of application for ANB. When application for ANB is denied and application for APSB is granted, a reapplication for ANB may not be made for a period of one year from date of application for APSB.

Sec. 325-80 Notification of State Social Welfare Board Decision WELF. & INST. CODE SECS. 103; 325-80
OAS; ANB; APSB; ANC 104.5; 1551; 2182; 3086; 3473

Notification of the SSWB decision is sent by mail immediately after the hearing to the appellant, the chairman of the county board of supervisors, the county auditor and the county welfare department.

Sec. 325-85 Record of Hearing and Decision WELF. & INST. CODE SECS. 103; 104.5 325-85
OAS; ANB; APSB; ANC

A verbatim record is made of each hearing. A copy of this record becomes a permanent part of the appellant's case record in the SDSW.

After the SSWB renders its decision, the facts upon which the decision is based and the final decision are filed with the assistant secretary of the SSWB. Summaries of each hearing and decision are included in the minutes of the meeting which are reviewed and passed upon by the SSWB at the subsequent meeting.

Sec. 325-90 Disposition of Case After State Social Welfare Board Decision WELF. & INST. CODE 325-90
OAS; ANB; APSB; ANC SECS. 103; 104.5; 1551; 1560; 2140; 2141; 2182; 3075; 3086; 3460; 3473.

The county shall pay the appellant the amount of aid awarded by the SSWB, if a grant of aid is ordered, or carry out any other order of the SSWB. If the county fails to comply with the SSWB decision within 90 days or a reasonable period of time, the SSWB may cite the county to show cause for its failure to make the grant as directed. The SSWB may withhold State and Federal categorical aid funds from the county to enforce compliance with a SSWB decision.

When, after the SSWB has taken action on an appeal, there is a change in the appellant's circumstances the case is handled according to ordinary routine procedures. Further referral to the SSWB is not necessary unless a new basis for appeal arises.

Sec. 325-95 Re-Appeals WELF. & INST. CODE SECS. 103; 104.5; 103.5; 103.6; 1551; 1560; 2140; 2141; 325-95
OAS; ANB; APSB; ANC 2182; 3075; 3086; 3460; 3473.

A person, or county, may not be satisfied with the decision of the SSWB regarding an appeal because it is believed that all pertinent facts were not available and/or not considered at the hearing. Additional evidence may be submitted by appellant or county to the SDSW for presentation to the SSWB with a request for a rehearing. When the SSWB decides that the additional evidence is pertinent and has not been considered at the appeal hearing, another hearing may be granted.

In OAS a person may not appeal again until a year has elapsed, unless there is new evidence. After the expiration of a year, the appellant, if he desires, has the right to appeal again regardless of the lack of evidence.

326-00 **Sec. 326-00 Re-Application for Aid After Denial of Appeal** WELF. & INST. CODE SECS. 103; 103.5; 104.5;
OAS 2140; 2141; 2182.

An applicant whose appeal has been denied by SSWB may not again apply for aid until one year has elapsed from the date of his previous application except with the county's consent or by order of SDSW. A change in applicant's circumstances before a year has elapsed following the denial of his application is occasion for the county to reconsider his eligibility. (See Sec. 325-95, Re-Appeals.)

326-05 **Sec. 326-05 Appeal Regarding Degree of Blindness**

ANB; APSB

THIS SECTION IS A CROSS-REFERENCE AND DOES NOT
REQUIRE SOURCING.

See Sec. 180-25, Reconciliation of Conflicting Eye Reports, regarding procedure for securing reports of eye examinations when appeal is based on degree of blindness.

326-10 **Sec. 326-10 Appeal From County Inaction** WELF. & INST. CODE SECS. 103; 103.5; 103.6; 104.5; 1551; 1560;
OAS; ANB; APSB; ANC 2140; 2141; 2182; 3086; 3075; 3460; 3473

A person has the right of appeal when the county does not permit him to make application for aid. The appellant in that event submits a personal affidavit to the SDSW giving reasons for his belief that he is eligible for aid and showing that the county did not permit him to sign an application for aid.

The SDSW investigation in this type of appeal only establishes the facts as to the appellant's attempt to apply for aid. If the SSWB determines that the county did not allow the applicant to apply, the SSWB may order the county to take the application.

Should the county subsequently deny such application, the applicant may then appeal against county denial.

Culbert L. Olson
Governor

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STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento
July 21, 1941

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DEPARTMENT BULLETIN NO. 86B

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

FILED
in the office of the Secretary of State
OF THE STATE OF CALIFORNIA

JAN 20 1942
PAUL PEEK, Secretary of State

By _____ Deputy

Re: Children 16 to 18 years
Attending School
AID TO NEEDY CHILDREN

This bulletin cancels Department Bulletin 86A, and becomes effective immediately.

Section 403 under Title IV of the Social Security Act provides that:

"(a) The term 'Dependent Child' means a needy child. . .under the age of eighteen if found by the State agency to be regularly attending school, who has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent. . . ."

Clarification of this section, as it relates to school attendance, has been secured. In general, if a child between 16 and 18 years, who meets other Federal requirements, is enrolled in school, Federal participation may be claimed even though intermittent absences from school may occur, as long as such absences do not result in termination of enrollment.

School attendance is defined to include the following:

1. Full-time public instruction

Full-time attendance at a public grade school, high school, trade school or college maintaining a full-time curriculum.

2. Full-time private instruction

Full-time attendance at a private or parochial grade school, high school, trade school or college maintaining a full-time curriculum.

3. Part-time public instruction

Attendance at a public continuation school or night school, on either a 3 hour a day or 4 hour a week basis, or attendance at a WPA or NYA training project, provided such attendance is acceptable to the attendance authorities.

4. Vocational Training

Enrollment for a part-time private course such as a beauty school

or business college, provided attendance at such schools is accepted by the attendance authorities under the compulsory attendance laws.

5. Home instruction of physically-handicapped child

Home instruction under the public school system, because of a physical impairment which makes it impossible for the child to utilize the ordinary educational facilities.

Temporary absence

Temporary absence due to reasons customarily accepted under the compulsory attendance laws of the State, such as observance of religious holidays and observance of regular vacation periods, shall not be considered termination of attendance. This includes children excused from school attendance because of ill health, or on temporary work permits.

Prolonged absence

Federal participation may be claimed when a child is permanently excused from school attendance because of mental physical incapacity.

Suspension

Suspension, which is limited by law to not more than two consecutive weeks, shall not be considered termination of attendance.

Vacation

Federal reimbursement is available for the vacation months, if the child was attending school at the end of the previous semester.

The statement of the applicant or recipient that child was attending school the last term or semester should be recorded in the case record and will be considered satisfactory basis for claiming Federal participation for the vacation months, and school attendance for the following semester must be verified as provided below under "Exception."

If aid is restored for the summer months for a child who has been in an Indian school during the previous semester, Federal reimbursement is available for the vacation period, provided the child is otherwise eligible and verification of school attendance is obtained for the previous term or semester.

INITIAL VERIFICATION

School status must be verified for every child between the ages of 16 and 18 otherwise eligible to Federal participation. For this purpose, the attached Form CA 213 Revised, "Statement of Attendance" shall be completed and retained in the county file, and the State Department of Social Welfare shall be notified in the manner outlined below.

Such verification shall be obtained:

1. For all children 16 years or over at time of application:

In completing the Certificate of Eligibility, Item VII, indicate by checking "Yes" or "No" whether children are "Regularly Attending School." Record (1) Nature of evidence; (2) Date of original document; (3) Date of enrollment; (4) Location of evidence. For children not attending school, record (1) Nature; (2) Date, and (3) Location of evidence.

STATEMENT OF ATTENDANCE

I hereby certify that _____,
(full name of child)

residing at _____
(address)

enrolled at this institution on _____, _____, _____,
(month) (day)
(year), and _____, _____ enrolled here at this
time. Present semester began _____, _____, _____.
(month) (day) (year)

(Name of Institution)

(Signature and title of official)

(Date) _____ (City) _____ (State)

NOTICE OF TERMINATION OF ATTENDANCE

1. This is to report that _____ of
(Name of Student)

_____, terminated attendance
(Address)

in this institution on _____, _____, _____
(Month) (Day) (Year)

2. Reason for termination: _____

Termination of attendance includes:

- (a) Completion of course.
- (b) Abandonment of, or failure to resume, course by student.
- (c) Expulsion for failure to comply with the rules and regulations of the institution.
- (d) Transfer to another school.

(Name of Institution)

(Signature and title of official)

(City) _____ (State)

Date _____

Note: This form to be submitted only upon completion or termination of the course when either occurs prior to the time the child attains age 18.

Culbert L. Olson
Governor

STATE OF CALIFORNIA

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Department of Social Welfare

MISS MARTHA A. CHICKERING

DIRECTOR

Sacramento
January 9, 1942

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DEPARTMENT BULLETIN NO. 170

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Old Age Security
Income

This bulletin is issued to bring together existing regulations relating to income which appear in Department bulletins other than Department Bulletin No. 143-Revised. Pending the formulation of more definite policies relating to need in excess of the basic grant, casual income, and inconsequential resources, the issuance of the Income Chapter of the Manual of Policies and Procedures is delayed, and meanwhile it is hoped that this bulletin together with Department Bulletin No. 143-Revised, issued August 23, 1941, will facilitate county operations.

This bulletin also presents the new ruling as adopted by the Social Welfare Board on December 18, 1941 relating to determination of net income from sub-rental of rooms, and attention is particularly directed to that ruling which appears on Pages 1, 2, and 3. This new ruling becomes effective immediately and all actions of the Board of Supervisors which are taken on applications and Notices of Change ninety days or later from the date of this bulletin must be in accord with it.

All other regulations have been in effect heretofore as indicated by citation of the former bulletins in which they appeared, the only change being the deletion of the reference to "exempt" and "non exempt" income which differentiation ceased to exist when amended Section 2020 became effective on July 1, 1941.

The following bulletins are cancelled as all rulings appearing therein have been included in later bulletins, in the Manual of Policies and Procedures, or in this bulletin.

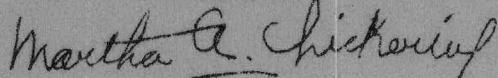
Department Bulletin No. 81-Revised	issued	10-5-40
" " No. 81-Revised - (D)	"	2-4-41
" " No. 81-Revised - (E)	"	2-4-41
" " No. 81-Revised - (F)	"	10-10-41
" " No. 105	"	2-28-40

The following outline of the content of the pages which follow may be of assistance in locating material in this bulletin.

	<u>Page</u>
I. Income Provisions of OAS	1
II. New Policies resulting from amendments to Section 2020, effective July 1, 1941	1
III. Monies received from the following sources constitute income:	1
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VI. Discontinuance of Aid Due to Current Income	7
VII. Rules of Emancipation	8

Note the last paragraph on page 8 in which two rulings appearing in Department Bulletin No. 81-Revised are repeated since they, as yet, do not appear in the Manual of Policies and Procedures or in other bulletins. They relate to sections 2160 (e) and 2163.

Very sincerely yours



MARTHA A. CHICKERING, Director
Department of Social Welfare

(Authority: Section 2020, W.& I.C.)
(Section 2160, W.& I.C.)
(Section 2163, W.& I.C.)
(Section 2140, W.& I.C.)

OLD AGE SECURITY

I. Income Provision of OAS Law - Section 2020

"The amount of aid to which any applicant shall be entitled shall be, when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, forty dollars (\$40) per month. If, however, in any case it is found the actual need of an applicant exceeds forty dollars (\$40) per month, such applicant shall be entitled to receive aid in an amount, not to exceed forty dollars (\$40) per month, which when added to his income (including the value of currently used resources, but excepting casual income and inconsequential resources) from all other sources, shall equal his actual need."

II. New Policy Resulting from Amendments to Section 2020, effective July 1, 1941
See Department Bulletin No. 143-Revised, issued 8-23-41, for policy relating to:

Need in excess of the basic grant,

Casual income and inconsequential resources,

Value of occupancy of homes owned by recipients of aid.

III. Monies Received from the Following Sources Constitute Income to be Considered in Determining the Grant of Aid:

1. Income from labor and service which includes

(a) Income from wages, salaries, commissions

(b) Net income from the sale of food stuffs or other merchantable products including manufactured articles produced by the applicant. The applicant's books shall be open to the county for verification of net income (Department Bulletin No. 81-Revised, issued 10-5-40).

There is a presumption that there is an equal profit sharing ratio in joint enterprises in the absence of any other actual profit sharing ratio (Department Bulletin No. 81-Revised, issued 10-5-40).

(c) Net income from purveying board and room, or from subrental of rooms.

The following policy governing the determination of net income from subrental of rooms was adopted by the Social Welfare Board on 12-18-41.

When a recipient rents a house, sub-letting a portion of it, and the rent and utilities for the entire house together with the cost of any necessary service in connection with the renting of rooms is in excess of \$15, subtract \$15 from the total paid for rent, utilities, etc., and deduct the remainder,

representing expense attributable to the roomers, from the total rent paid by the roomers. The difference, if any, represents income to be considered in determining the recipient's grant of aid.

Example:

A recipient of OAS pays \$30 rent and sub-lets two rooms for a total of \$28. The total cost of utilities, etc., is \$8. The sum of the house rent and total cost of utilities, etc., is \$38. The first \$15 of this amount is allocable to the recipient. From \$38 deduct \$15 leaving \$23 expense attributable to the roomers. The total rent paid by the roomers (\$28) less \$23 leaves \$5 net income to be considered in determining the grant of aid.

Example:

A recipient of OAS pays \$35 rent and sub-lets two rooms for a total of \$20. The total cost of utilities, etc., is \$10. The sum of the house rent and total cost of utilities is \$45. The first \$15 of this amount is allocable to the recipient. From \$45 deduct \$15, leaving \$30 expense attributable to the roomers. Since this expense exceeds the gross income from the roomers, there is no income to be deducted in determining the grant.

When a house, in which rooms are sub-let, is rented by a couple, either or both of whom receive aid, the same principle shall apply in determining the net income from roomers except that income from the roomers shall be applied toward that portion of the total expense which exceeds \$30 rather than \$15 a month.

Example:

A couple, one of whom is receiving OAS, pays \$35 rent and sub-lets two rooms for a total of \$18. The total cost of utilities, etc., is \$10. The sum of the house rent and total cost of utilities is \$45. Since the maximum expense which may be allocated to the recipient alone is \$15 the couple is responsible for twice this amount or for the first \$30 of the total cost leaving a remainder of \$15. The difference between the remainder and the amount paid by the roomers is \$3 (\$18 minus \$15). One-half this amount or \$1.50 represents income to be deducted in determining the recipient's grant.

When a recipient rents a house and sub-lets a portion of it, the sum of the house rent and total cost of utilities, etc., being \$15 or less (in the case of a couple \$30 or less) the income from the roomers after deducting their share of the estimated cost of utilities represents income to be deducted in determining the recipient's grant of aid (one-half this amount in the case of a couple).

Example:

A single recipient of OAS rents a house for \$11 and sublets one room for \$6. The total cost of utilities is \$3. Since the total of the house rent and the utilities (\$14) does not exceed \$15 it is necessary to estimate that portion of the utilities incident to the renting of the room. This amount is determined to be \$1. The net income to the recipient is the difference between the gross rent paid by the roomer (\$6) and the expense incident to the rental of the room (\$1) or \$5. This amount (\$5) shall be considered in determining the grant.

2. Net Income from Real Property - (This section refers to the return from income property as distinct from the occupancy value of homes owned by recipients. See Department Bulletin No. 143-Revised, page 6, Formula For Determining the Value of Occupancy to Recipients of OAS of Homes Which They Own and Occupy.)
 - (a) In determining net income from property, operating expenses shall be considered, such as taxes, interest, and assessments. In addition, upkeep shall be computed on the basis of the actual expenditures, rather than upon a set figure not governed by actual expenses (Department Bulletin No. 81-Revised, issued 10-5-40).
 - (b) Net rental from property in which the recipient holds life estate shall be considered in determining the grant of aid (Department Bulletin No. 81-Revised, issued 10-5-40).

Net rental paid by a tenant who is a responsible relative for property owned by the recipient or in which the recipient holds life estate is interpreted as rental from property owned rather than as a contribution from a responsible relative. (Department Bulletin No. 81-Revised-E, issued 2-4-41)

Under the ordinary life estate agreement the life tenant is assured occupancy of the property, is entitled to all the income therefrom, and is responsible for payment of taxes, upkeep and other obligations to keep the property in good condition. When expense items for which the life tenant is responsible are paid by another, the amount thereof represents income. However, it is the presumption, which may be refuted, that a life estate agreement drawn more than two years prior to application for Old Age Security which stipulates that the remainderman shall be responsible for the payment of certain expenses was not made for the purpose of qualifying the recipient for a greater amount of aid than that to which he would otherwise be eligible. Payments made in accordance with such an agreement do not represent contributions to the life tenant. (Department Bulletin No. 81-Revised-E, issued 2-4-41)

- (c) Payments from the sale of real property sold under contract of sale, title not passing, are income to be considered in determining the grant. However, should a prior encumbrance exist against the property, the amount of income remaining after allowing for the interest payment on the prior encumbrance represents income (Department Bulletin No. 81-Revised, issued 10-5-40).
- (d) The value of the free use and occupancy of real property during the statutory redemption period of one year following a foreclosure sale is income (Department Bulletin No. 81-Revised-D, issued 2-4-41).
- (e) Net income from real or personal community property shall be shared equally with the spouse, whether eligible or ineligible. (This policy does not apply to income from separate property owned by either spouse.) (Department Bulletin No. 81-Revised).

3. Returns from personal property.

Returns to an applicant or recipient of aid in the form of interest on money, bank or building and loan accounts, bonds, dividends upon stock, and other earnings of personal property. (Department Bulletin No. 81-Revised, issued 10-5-40)

4. Contributions from legally responsible relatives.

Contributions from legally responsible relatives such as cash, the value of room and board, insurance premiums, provision for clothing, etc., represent income (Department Bulletin No. 81-Revised, issued 10-5-40),

- (a) While due regard may be given to the actual market value of contributions in kind, it is suggested, as a guide, that estimates of these items do not exceed \$15 for rent and utilities, \$12 for food, and \$8.00 for clothing and incidentals (Department Bulletin No. 56, issued 8-7-37).
- (b) The ineligible spouse of a recipient may apply to his or her own support and the support of his dependent children such of his income, including earnings, annuities, pensions, etc., as is necessary before applying the remainder, if any, to the support of the recipient. (See Department Bulletin No. 81-Revised-F, issued 10-10-41 and Section 171-10, Manual Policies and Procedures.)
- (c) When both parents are receiving OAS, ANB, or APSB contributions from children shall be allotted equally between the parents unless a child stipulates that the contribution is not to be so divided (Department Bulletin No. 81-Revised, issued 10-5-40)
- (d) An applicant for OAS who is otherwise eligible and who rejects support in the home of a responsible relative, shall be deemed to be not needy if the facts establish that:
 1. The home offers reasonably adequate housing
 2. The home is located in the same city or general locality in which the applicant resides

3. The climate and physical surroundings are not detrimental to the individual's health
4. There is no serious question of incompatibility with other members of the household.

In cases involving the offer of a home by a responsible relative, careful determination of the facts in each situation must be made, so that applicants will not be obliged to live under conditions detrimental to their welfare, in order to obtain support (Department Bulletin No. 105, issued 2-28-40).

5. Insurance.

Cash received by an applicant or recipient as beneficiary of an insurance policy, and cash received on a periodic basis from an insurance policy owned by an applicant or recipient of OAS is income to be considered in computing the grant of aid.

6. Annuities, pensions, etc.

Monies received from annuities, pensions, both civil and military, old age benefits and regular monthly payments received because of compensation laws, both industrial and unemployment, and trust funds. (Department Bulletin No. 81-Revised, issued 10-5-40).

The applicant or recipient may allocate to his or her ineligible spouse who is without support, a portion of his income from earnings, annuities, pensions, both civil and military, OASI benefits, regular payments received because of compensation laws, both industrial and unemployment, and any income other than that from separate property owned by applicant or recipient. The amount allocated shall not exceed one-half of such income, and in no event shall it exceed a reasonable amount necessary for the support of the ineligible spouse, as determined by investigation in each individual case. No allocation of such income may be made for the support of minor children. Where the applicant or recipient is receiving OASI benefits, the apportionment to his spouse shall not continue after she has reached the age of 65, at which time she becomes eligible by virtue of her husband's "primary benefit" to payments in her own right. (Department Bulletin No. 81-Revised-F, issued 10-10-41) Note that this ruling supersedes the former policy as outlined in Department Bulletin No. 81-Revised, page 3, and in Bulletin No. 143-Revised, page 3, Excess Need, paragraph 1, which permitted the division of community income with the ineligible spouse to the extent of one-half of such income but in no event to exceed \$15.00 per month.

7. Gifts.

Gifts include money, the value of contributions from organizations, (including private, benevolent and non-profit institutions) or the value of room, board, payment of insurance premiums, income from a trust fund, etc. (Department Bulletin No. 81-Revised, issued 10-5-40). They do not include the value of the usual small gifts given in commemoration of holidays and anniversaries (Department Bulletin No. 143-Revised, issued 8-23-41, Casual Income).

IV. Current Income Defined (Department Bulletin No. 81-Revised issued October 5, 1940. Policy first issued in Department Bulletin No. 81-E, August 5, 1940 which was cancelled when Department Bulletin No. 81-Revised was issued.)

Current income is that which is received in the current month or during the two months immediately preceding the current month, and regardless of the period over which it accrued, it shall be considered income in the month received. Reduction in the grant, or collections which involve refunds from current aid payments, shall not be made from income received prior to the second month preceding the current month. In case the receipt of income is not discovered within the above stated time limits, the recipient shall be requested to reimburse the county in full for such excess aid from resources he may have, other than the Old Age Security grant. Action under Section 2222 is also open to the county.

V. Adjustment* (Reduction) in the Grant Due to Current Income (Department Bulletin No. 81-Revised, issued October 5, 1940)

1. When the total income for a given month is known sufficiently in advance, the adjustment of the grant will be made for the month in which such income is received.

Example: The county determines on October 15, 1940, that a recipient will receive, on November 10, 1940, his first \$20 monthly payment from an annuity. The monthly grant will be adjusted effective November 1, 1940.

2. Where the total income for a given month can be determined only during the month in which it is received, or during the month subsequent thereto, the adjustment will become effective with the grant of aid not later than the second month subsequent to that in which it is received.

Example: It is known that the initial payment from an annuity will be received in October, but it is not until receipt of the annuity check that the amount thereof is known. The adjustment in the grant of aid shall be made effective November 1, if possible, but not later than December 1, 1940.

3. In cases where the current income is irregular and cannot be foretold, collection may be made from the recipient, within the time limits set forth above, of the full amount of current income for any given month.

Example: The county ascertains that single recipient secured temporary part-time employment. Earnings are in the form of commissions and the length of employment is indefinite. The recipient on October 15 was paid \$20.

*Refer Department Bulletin No. 88-B, issued 10-10-41, setting forth the type of income which must be deducted in its exact amount, that which may be adjusted to make the grant of aid in whole dollars, and that which may be disregarded due to the administrative expense of giving effect to a deduction, i.e., income in an amount of less than \$1.00 which accrues semi-annually or less often.

Adjustment may be made in either of two ways, i.e.,

(a) Reduce aid effective November 1 and not later than December 1, to \$20.00, and increase to \$40 effective with the first of the month subsequent to that in which the reduction was made.

or

(b) Request the recipient to refund \$20 from his November or December grant, and report such collection to the Department of Social Welfare in the usual manner.

VI. Discontinuance of Aid Due to Current Income (Department Bulletin No. 81-Revised, issued October 5, 1940)

Old Age Security shall be discontinued when the amount of current income received is in excess of the amount allowed under the provisions of Section 2020.

Regardless of the period over which the income accrued, it represents income in the month received. The former policy permitting income which is received annually, semi-annually, or quarterly to be averaged over a period equivalent to that over which it accrued is no longer operative.

Example: (a) A couple received \$480, or \$240 each, as net proceeds from an annual crop on August 15, 1940. Aid is discontinued August 31, 1940, and may on request of the applicant be restored October 1, 1940, if the applicant remains otherwise eligible.

Example: (b) A recipient received \$180 accumulated pension on September 10, 1940. Receipt of the income is not known to the county until October 15th. Aid is discontinued October 31st and may on request of the applicant be restored effective December 1, 1940, if the applicant remains otherwise eligible.

Example: (c) A recipient received \$40 on September 5, 1940, as final payment for real property sold under a contract of sale. Receipt of this income is not known until November 10, 1940. Aid is discontinued effective November 30, 1940, and may on request of the applicant be restored effective January 1, 1941, if he remains otherwise eligible.

Example: (d) A recipient received \$200 as commission on sale of real estate on September 15, 1940. Receipt of the income is not known to the county until December 5 when the annual reinvestigation of eligibility is made. The income was not discovered within the time limits set forth in the definition of current income. Aid shall continue if the recipient is otherwise eligible, but he shall be requested to reimburse the county from resources he may have other than Old Age Security, to the extent of the aid granted in the month for which the income was received.

A recipient whose aid is discontinued because of receipt of income may be ineligible for restoration after discontinuance of aid for one month due to excess personal property. Should he make application at a subsequent date, his eligibility shall be investigated.

Upon verification that the amount of personal property, including any residue from the income received, is within the limit established in Section 2163, aid shall be restored if he is otherwise eligible. As in the case of any application, the facts must establish that personal property was not reduced within the \$500 limit for the purpose of qualifying for aid.

VII. Rules of Emancipation (Department Bulletin No. 81-Revised, issued October 5, 1940)

There shall be no arbitrary division of earnings of minor children but the method of determining the amount of the earnings of the minor child to be used in a household in supplementing or in any way determining the amount of State aid to be granted shall be based upon the emancipation of such minor. (Refer Manual of Policies and Procedures, Section 171-40.)

* * * * *

The following rulings appearing in Department Bulletin No. 81-Revised issued October 5, 1941, do not specifically relate to income but since they do not yet appear in the Manual of Policies and Procedures they are repeated here in order that Department Bulletin No. 81-Revised may be cancelled in its entirety. These rulings continue in full force and effect.

Section 2160(e) Continuance of Aid During Hospitalization

To effect an automatic restoration (following discontinuance because of hospitalization) two Notice of Change forms must be approved on the case. One will order discontinuance effective as of the last day of the month in which the recipient is admitted to the institution, or in the case of temporary medical or surgical care, as of the end of the month in which the excepted eligibility period is completed; the second will order restoration with no date specified. Upon release of the recipient from the institution, the second Notice of Change will be completed showing the date of release and immediately submitted to the State Department of Social Welfare. A warrant will then be issued for the balance of the month during which the recipient was not an inmate and claim made on the current monthly payroll.

Section 2163 - Personal Property

The amount (of personal property) received while a recipient of aid shall be ascertained and determination of eligibility under the provisions of Section 2163 shall be made. When personal property remains within the \$500 maximum, there is no occasion for interruption of aid.

Culbert L. Olson

Governor

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STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING

DIRECTOR

January 19, 1942

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LOS ANGELES XXXXXXXNA

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IN REPLY PLEASE REFER
TO: 1297

MANUAL LETTER NO. 18

You receive herewith Revisions 2, 3, 4, 5 and 6, Welfare Personnel Standards Chapter, to be inserted in your copy of the Manual of Policies and Procedures in accordance with the printed Introduction. These revisions were adopted by the Social Welfare Board on December 18, 1941. They are effective immediately and shall be in operation within ninety days.

Your attention is directed particularly to the following:

Sec. 075-35 Promotions within a county welfare department may be made on a noncompetitive basis, under certain conditions.

Secs. 077-01 to 077-09, inclusive, contain rules and regulations relative to leaves of absence, sick leave, absence without leave and vacation.

The Welfare Personnel Standards Chapter Table of Contents will be revised when the separator is reprinted. The following supplemental table may be of use until then:

FILED
in the office of the Secretary of State
OF THE STATE OF CALIFORNIA
JAN 21 1942
PAUL PEAK, Secretary of State

By _____ Deputy _____

Noncompetitive Promotions	Sec. 075-35
Allowance for Leaves of Absence	077-01
Granting Leaves of Absence	077-02
Leave of Absence for Court Duty	077-03
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Sec. 071-60 Contents of Qualifying and Open Competitive Examinations

071-60

WPS

Examinations shall include:

1. Practical written tests as an integral part of all examinations (for exception, see Sec. 075-35, Noncompetitive Promotions);
2. A competitive performance test for stenographic and typing positions and a qualifying performance test for other positions involving the operation of office machines;
3. A rating of training and experience for the more responsible positions, including all professional, technical, supervisory, and administrative positions;
4. Qualification appraisals for positions requiring frequent contact with the public, or which involve important supervisory or administrative duties.

After consultation with the SSWB the examining agency shall assign definite weights to each part of the examination and such weights shall be included in each public announcement of the examination.

Sec. 071-65 Notice of Examinations

071-65

WPS

The examining agency shall give public announcement of all examinations at least three weeks in advance of the closing date for receipt of applications. Every reasonable effort shall be made to attract qualified persons to compete in these examinations. Notice of examinations shall be posted in important centers throughout State and copies shall be sent to newspapers of State-wide circulation, radio stations, educational institutions, professional and vocational societies, public officials, and such other organizations and individuals as examining agency may deem expedient.

Mailing lists of public personnel agencies shall be used wherever possible.

Public announcement of examination shall include:

1. Date and place of examination;
2. Last date for filing application;
3. Reasonable information concerning the location of employment, the expected number of vacancies, and other conditions of employment;
4. Such parts of the class specifications as will adequately describe the scope of duties and responsibilities;
5. Minimum and additional desirable qualifications;
6. Salary or other compensation;
7. Number of candidates who may qualify through the examination;
8. District or districts for which the list is to be established;
9. All of the conditions of competition, including the relative weights assigned to the various parts in the examination, and the passing grades;
10. Such other information as will assist the public in understanding fully the nature of the employment and procedure necessary to participate in examination.

Sec. 071-80 Filing Applications

071-80

WPS

All applications shall be made upon official blanks furnished by examining agency filled out as therein directed, and filed in office of examining agency on or before the closing date specified in the examination announcement or postmarked before midnight of that date.

Applicants taking more than one examination shall file a separate and complete application for each such examination.

Such applications shall include a statement from the applicant of all pertinent information regarding his training, experience, and age; and in addition, the examining agency may require a photograph of the applicant, a certificate of his physical fitness from one or more licensed physicians, and any other evidence of identification which is deemed necessary.

All applications shall be signed, and the truth of all statements contained therein certified by such signature.

All applications and examination papers are confidential records of examining agency and under no circumstances will they be returned to applicants.

Sec. 071-85 Qualifications of Applicants

071-85

WPS

Applicants shall:

1. Be citizens of United States;
2. Be residents of State of California at time of examination and have been residents of this State for at least one year immediately prior to date of examination;
3. Possess all entrance requirements specified in minimum qualifications established for class;
4. Be of good moral character, of temperate habits, and in all respects mentally and physically competent to perform duties of position for which candidate is competing.

Sec. 071-95 Disqualification of Applicants

071-95

WPS

Under the supervision and direction of the SSWB, examining agency may refuse to examine an applicant, or, after examination, may disqualify such applicant or remove his name from an eligible list, or refuse to certify any eligible on an eligible list if:

1. He is found to lack any of the preliminary requirements established for the examination for the class of position;
2. He is so disabled as to be rendered unfit for performance of duties of the class;
3. He is addicted to use of narcotics or habitual use of intoxicating liquors to excess;
4. He has been convicted of any infamous crime or other crime involving moral turpitude;
5. He has made false statement of material fact in his application;
6. He has previously been dismissed from any public service for delinquency, misconduct, or other similar cause;
7. He has used or attempted to use political pressure or bribery to secure an advantage in examination or appointment;
8. He has directly or indirectly obtained information regarding examinations to which as an applicant he was not entitled;
9. He has failed to submit his application correctly or within prescribed time limits;
10. He has taken part in compilation, administration, or correction of the examinations;
11. He subscribes to subversive principles or advocates overthrow of or change in the form of government now existing in the United States and the State of California by any means other than as provided in the respective constitutions thereof;
12. He has otherwise violated provisions of these rules.

A disqualified applicant shall be promptly notified of such action, and an applicant who is not admitted to an examination because of failure to meet preliminary requirements shall be notified by letter addressed to his last-known address sufficiently in advance of the examination to allow for submission of additional evidence to examining agency.

072-00 Sec. 072-00 Conduct of Examinations**WPS**

Written tests shall be conducted simultaneously in as many places as are necessary for the convenience of the applicants and as are practicable for proper administration. The examining agency may designate such monitors as may be necessary to conduct examinations under prescribed instructions.

The identity of persons taking competitive written examinations shall not be disclosed to the examiners. An identification number, which shall be used to identify all papers of each applicant, shall be assigned by the examining agency to each applicant. Any examination papers bearing name of applicant or identification other than an identification number shall be rejected. In cases of rejection, examining agency shall promptly notify applicant.

072-05 Sec. 072-05 Rating Examinations**WPS**

The examining agency shall determine the results of each applicant's examination in accordance with the weights for the several parts established by the examining agency in conformity with these rules as set forth in the examination announcement. All applicants in the same examination shall be accorded uniform and equal treatment in all phases of the examination procedure except that applicants who are eligible for veterans' preference shall be given additional credit in open competitive examinations in the manner outlined in this section.

In the case of all open competitive examinations, veterans with thirty days or more of service, who become eligible for certification from eligible lists by attaining the passing mark established for the examination, shall be allowed additional credit of five points, which shall be added to the percentages attained in such examinations by such veterans, and they shall be placed on eligible lists and be eligible for appointment in the order and on the basis of the percentages attained by them in examinations after such credit of five points shall have been added.

Proof of eligibility for veterans' preference shall be submitted not later than the date of the examination by filing such proof in the form prescribed by the SSWB.

All ties shall be decided in favor of veterans. In the case of promotional examinations, no credit for veterans' preference shall be allowed to veterans.

It is the purpose of this section to give preference to all persons who have served the Government and the people in the Army, Navy, Marine Corps, Revenue Marine Service, or as active nurses in the American Red Cross or the Army and Navy Nurse Corps, and particularly to persons who have rendered such service during the Ally-Germanic War, the Spanish-American War, the Philippine insurrection, the Boxer uprising, the Indian wars, or the Civil War.

Examining agency shall utilize appropriate scientific techniques and procedures in rating results of examinations and in determining final scores of competitors. In determining the system for rating results of examinations, examining agency shall give due regard to the number of candidates and to the number of vacancies which may reasonably be expected to occur in the life of the eligible list.

072-07 Sec. 072-07 Applicant May Be Placed on List for Lower Class**WPS**

Where an examination is being held for any given class, the examining agency may place an applicant on a list for the lower class, if in its opinion the applicant is qualified to fill lower class of position but is not qualified to fill the higher position; provided, however, that an examination has been announced and is in progress for said lower class. An applicant applying for an examination on a promotional basis may in same manner and under similar conditions be passed in an open examination if such is in process at same time.

072-10 Sec. 072-10 Rating Training and Experience**WPS**

If training and experience form a part of the total examination, examining agency shall determine a procedure for evaluation of training and experience qualifications of the various applicants. The formula used in appraisal shall give due regard to recency and quality as well as quantity of experience and to pertinency of the training. This procedure shall allow for substitution of training for experience, and experience for training, within limits stated in class specifications.

072-15 Sec. 072-15 Investigations**WPS**

Before rating training and experience or prior to certification from eligible list, examining agency may, and for positions involving important administrative and executive functions shall, investigate applicant's training and experience to verify statements contained in his application form and to adduce evidence regarding his character and fitness. If this investigation produces information affecting the rating of training and experience, examining agency shall rate or rerate the applicant's record accordingly, and make necessary adjustments in eligible list. The applicant shall be promptly notified of such rerating.

072-20 Sec. 072-20 Qualification Appraisals**WPS**

In examinations where education, experience and personal qualifications of candidates are to be rated as part of the total examination for a position, examining agency shall appoint one or more Qualification Appraisal Boards as needed. A Qualification Appraisal Board shall consist of persons known to be interested in improvement of public administration and in selection of efficient government personnel, and at least one of whom shall be technically familiar with character of work in position for which applicant will be examined. No officer or employee of any county agency for positions in which examinations are being offered, nor any person holding political office, nor any officer or committee member of any political organization, nor any person actively engaged in the work of any political organization, shall serve as a member of any such board. If practicable, all applicants qualifying for same class shall be rated by same Qualification Appraisal Board.

072-25 Sec. 072-25 Notice of Examination Results**WPS**

Each applicant shall be notified in writing by examining agency of his final rating as soon as rating of examination has been completed and eligible list established.

Sec. 075-00 Method of Making Promotions

075-00

WPS

As far as is practicable and feasible, a vacancy shall be filled by promotion of a qualified permanent employee based upon individual performance, as evidenced by recorded service ratings, with due consideration for length of service, and upon capacity for the new position as demonstrated by a promotional examination. (For exception to written promotional examinations, see Sec. 075-35, Noncompetitive Promotions.) Preference in promotion may be given to employees within an agency. All inter-agency promotions must be approved by appointing authorities concerned.

Candidate for promotion must be certified by examining agency to possess qualifications for position as set forth in specifications for the class of position for which he is a candidate or he shall submit adequate evidence to SDSW that he possesses the required ability and fitness to perform the duties of the position, and he shall be required by examining agency to qualify for the new position by promotional competitive examination administered by examining agency.

Sec. 075-10 Promotion by Competitive Examination

075-10

WPS

If it is determined by the SSWB to fill vacancies in a particular class of position by promotional competitive examination, such examination shall be given under the direction of the examining agency. A promotional competitive examination may be limited to employees of county agency concerned or may, with approval of the SSWB, be open to employees of other county agencies.

An employee to be eligible to compete for promotion must have permanent status in a lower related class, except that limited term appointees who, immediately preceding their limited term appointment, had permanent status in a class designated as eligible for promotion, may compete in said promotional examinations as though they then held the appropriate status.

No applicant shall be eligible to compete in a promotional examination unless his service rating at time of last regular report was 85 per cent or higher.

Sec. 075-20 Contents of Promotional Competitive Examination

075-20

WPS

A promotional competitive examination shall consist of any combination of the following: written tests, ratings on training and experience, evaluation of recorded service ratings and seniority, performance tests, and qualification appraisals. The combination in each case and procedures for determination of qualifying grade shall be announced by examining agency in advance of examination, and shall take into consideration approved practices.

Sec. 075-30 Certification From Promotional Eligible List

075-30

WPS

All employees who qualify in promotional examination shall be placed on a promotional eligible list for the class of position in the order of their examination ratings.

If a promotional and an original eligible list exist, the same number of names shall be certified from each list in accordance with Sec. 073-60, Certification of Names. Appointing authority may make selection from names submitted from either register, giving such preference to present employees as the good of the service will permit.

Sec. 075-35 Noncompetitive Promotions

075-35

WPS

Notwithstanding the provisions of any other section of these rules, an appointing authority upon presentation of valid reasons may be permitted by the SSWB to make promotions within a county welfare department on a noncompetitive basis. Such promotions shall be made only if the employee to be promoted in this manner shall have permanent status in the next lower classification within a series of positions, if his report of performance shall be 85 per cent or more, and if he meets the minimum qualifications for the position for which he is being considered for promotion. Before any noncompetitive promotion may be made, the qualifications of the employee being considered for such promotion shall have been certified by the examining agency as meeting the minimum requirements as to training and experience required for the position for which he is being considered for promotion.

The SDSW shall determine the classes of positions from which and to which such promotions may be made within a series of positions.

Sec. 075-50 Inter-Agency Transfer of Employee

075-50

WPS

Transfer of an employee from a position in one organizational subdivision of a county agency to a position of same class in another organizational subdivision of same or another county agency may be made at any time by appointing authorities concerned. All inter-agency transfers must be certified by SDSW. No increase or advance in salary shall be made upon a transfer, unless the regulations governing salary advancement are complied with.

Sec. 075-55 Inter-Class Transfer of Employee

075-55

WPS

Transfer of a permanent employee from a position in one class to a position in another class having substantially the same entrance salary shall be made only upon certification of SDSW with approval of appointing authorities concerned. Examining agency shall require that employee meet entrance requirements established for position in new class, or submit adequate evidence to SDSW that he possesses required ability and fitness to perform duties of position to which he is being considered for transfer. Examining agency may also require a qualifying examination.

Transfer from a lower to a higher class of position is a promotion and shall be made only in manner prescribed in Sec. 075-00, Method of Making Promotions.

Notwithstanding anything in this or any other section, an employee may be required to perform such duties as appointing authority finds necessary for a period not in excess of one hundred and twenty days.

075-60 **Sec. 075-60 Demotion****WPS**

A permanent employee may be demoted for inefficiency, or for other cause, but in all such cases employee shall have same rights of appeal to SSWB as employees who have been dismissed.

076-00 **Sec. 076-00 Tenure of Office****WPS**

Tenure of office of every permanent employee shall be during good behavior and satisfactory performance of his duties as recorded by his service rating. This provision, however, shall not be interpreted to prevent separation of an employee for cause, or separation of an employee because of lack of funds or curtailment of work, when made in accordance with these rules.

076-05 **Sec. 076-05 Reduction of Force****WPS**

Appointing authority may separate any employee, without prejudice, because of lack of funds or curtailment of work. No permanent employee, however, shall be separated while there are emergency, intermittent, temporary, or provisional employees serving in same class of position in same county agency. Order of separations due to reduction of force shall be based upon service ratings and seniority, under a formula to be formally established by SDSW and approved by SSWB. All such separations shall be reported to SDSW which, in turn, shall notify examining agency.

For each class there shall be maintained appropriate reemployment lists consisting of names of all persons who have occupied positions with probationary or permanent status in a class and who have been laid off, or who have resigned in good standing and who, within one year from date of their resignation, with consent of appointing authority and SSWB, have withdrawn their resignations.

Order in which names shall appear on reemployment list shall be determined by relative order of combined scores of efficiency as shown by service ratings and seniority.

076-10 **Sec. 076-10 Resignation****WPS**

An employee who resigns shall submit reasons therefor in writing to appointing authority, a copy of which shall be forwarded to SDSW.

A resignation relates only to specific position from which employee resigns and does not impair his rights on other eligible lists.

076-15 **Sec. 076-15 Withdrawal of Resignation****WPS**

Within one year of date of his resignation, a permanent employee may withdraw his resignation on recommendation of appointing authority and with approval of SDSW, whereupon his name shall be placed on reemployment list for class from which he resigned, his position on such list to be determined by his combined score for efficiency and seniority at time of resigning. (See Sec. 073-20, Reemployment Lists.)

Probationary or limited term employee may in same manner withdraw his resignation, whereupon he shall be restored to eligible list on basis of his original score.

076-20 **Sec. 076-20 Reinstatement to Previous Class of Position****WPS**

Upon request of appointing authority, a permanent, probationary, or limited term employee who has resigned while in good standing, or who has been separated without prejudice or without fault or delinquency on part of employee, shall be eligible for reinstatement within a period of three years. Reinstatements may be made in a position in a class from which employee was separated or in a position in another class having substantially similar duties, responsibilities and qualifications, and substantially the same salary range, and provided that employee has submitted adequate evidence to SDSW that employee possesses required ability and fitness to perform duties for class of position to which he is being considered for reinstatement.

Resigned probationer may be reinstated to a position subject to completion of remainder of his probationary term. Resigned limited term employee may be reinstated only for remainder of the limited term. Resigned permanent employee may be reinstated to a limited term position whereupon he shall become subject to these rules as they relate to status, tenure, and manner of separation of limited term employees.

076-30 **Sec. 076-30 Suspension****WPS**

Appointing authority or any officer or employee authorized by appointing authority may immediately, for disciplinary purposes, suspend an employee without pay for not exceeding 30 days in any calendar year by notifying employee thereof. Such suspension without pay shall be valid only in event written reasons are served on employee within five working days of date of suspension, setting out clearly the delinquency for which this suspension was made. A copy of suspension notice shall be filed with SDSW.

Sec. 076-40 Dismissal

076-40

WPS

Appointing authority may dismiss any employee who, after appointment, has been convicted of an offense in connection with his duties, or of any felony or crime involving moral turpitude. "Conviction" here means a plea or determination of guilt in any court of record, and when such conviction is final, employee shall have no recourse to appeal to the SSWB.

Appointing authority may dismiss any permanent employee who is negligent or inefficient in his duties, unfit to perform his duties, or is guilty of gross misconduct. In case of such dismissal, employee shall be given 15 days' notice in writing by appointing authority stating specific reasons therefor. In extreme cases involving safety, morale, or efficiency of the service, appointing authority may immediately suspend an employee pending dismissal procedure.

In dismissals for cause and other punishments, like penalties shall be imposed for like offenses.

Whenever a dismissed employee who had permanent status, has been adjudged by the SSWB after appeal as dismissed without sufficient cause by appointing authority, the SSWB may place name of dismissed employee on eligible list from which it was taken with its original percentage rating. Such restoration, however, shall not permit a certification to position or to county agency from which employee has been dismissed, except upon written request of appointing authority.

Sec. 076-50 Appeal for Review of Examinations

076-50

WPS

Beginning the second working day after a written examination has been held and extending for a period of ten working days thereafter, any candidate may inspect a keyed copy of questions in examination in which he has been a candidate, and may during such period of inspection file in writing an appeal against any part of the test, citing item or items against which appeal is directed, and reason for such appeal. An eligible list resulting from such test shall not thereafter be established until all of disputed items have been reviewed and appropriate adjustment made by correction in scoring key or elimination of items. Thereafter, no candidate shall be entitled to further appeal against results of the written examination except on grounds of fraud in scoring papers; provided, that nothing contained in this section shall nullify right of candidate to inspect his papers. Examining agency may provide an opportunity for review of test material at such places for such period of time as circumstances may from time to time require.

Sec. 076-60 Appeal From Removal From Eligible List

076-60

WPS

An eligible whose name has been removed from an eligible list for any of the reasons specified in Sec. 073-10, Removal of Names From Eligible List, may appeal to SSWB for reconsideration. Such appeal shall be filed in writing with SDSW within 30 days after date on which notification was mailed to applicant. SDSW shall refer the appeal with all pertinent information to SSWB. SSWB, after investigation, shall make its decision and shall notify the eligible accordingly.

Sec. 076-70 Appeal From Dismissal, Suspension, or Demotion

076-70

WPS

Permanent employee who is dismissed, suspended, or demoted shall have right to appeal to SSWB not later than 30 days after effective date of dismissal, suspension, or demotion. Such appeal shall be in writing and shall be transmitted to SDSW which shall arrange a formal hearing within reasonable time after receipt of appeal. Both employee and county agency shall be notified reasonably in advance of the hearing and shall have right to present witnesses and give evidence before SSWB.

The SSWB, within 30 days after the hearing, shall make its recommendations in writing to county agency for consideration. After consideration of recommendations of SSWB, county agency shall make its decision which shall be final and which shall be duly recorded in permanent records of SDSW. SDSW shall, in writing, promptly notify employee of final decision of county.

All hearings and investigations of charges for dismissal of an employee shall be public and shall be governed by the provisions of these rules; and in the conduct thereof neither SSWB, its representative, nor any other party, shall be bound by technical rules of evidence, nor shall informality in any proceedings or in manner of taking testimony invalidate any order, decision, rule, or regulation made, approved, or governed by SSWB.

Appellant at such hearings shall have opportunity to present whatever competent evidence he may desire to submit in his own defense and shall have right to be represented by counsel. Witnesses may be subpoenaed by SSWB, and SSWB shall have power to compel attendance of witnesses in accordance with this section.

Sec. 077-00 Attendance and Leave

077-00

WPS

In cooperation with county agencies, SSWB shall adopt regulations covering attendance, vacation, sick leave, and other types of leave. Such regulations shall be uniformly applicable, in so far as possible, to county agencies.

Sec. 077-01 Allowance for Leaves of Absence

077-01

WPS

Subject to the approval of the county welfare director and the county board of supervisors, any permanent employee may be granted a leave of absence without pay for a period not to exceed one year. An original leave of absence granted for a period of less than one year may be extended at the employee's request, and upon the approval of the county board of supervisors, for a period which when added to the period of the original leave of absence will not total more than one year.

Sec. 077-02 Granting Leaves of Absence

077-02

WPS

Leaves of absence without pay may be granted to permanent employees for any of the following reasons:

1. To attend an institution of learning to improve the skills, knowledges, and techniques of their work in the county welfare department;
2. Pregnancy;
3. Illness or disability;
4. Any other reason approved by the SDSW.

An employee requesting a leave of absence shall file his request in writing with the appointing officer. Such written request shall include the reasons for the request and the period for which the leave of absence is requested.

The appointing officer shall notify the SDSW of all approved leaves of absence, the period of the leave of absence, and the reasons for which the leave of absence was granted. The separation form (Form PS 21) used by the county welfare departments to report all separations of personnel to the SDSW shall be used for reporting leaves of absence.

An employee granted a leave of absence has a right to reinstatement to his former position upon the expiration of the period of his approved leave of absence, provided his position has not been abolished during his absence. In the event the employee's position has been abolished during the period of his leave of absence, his name shall be placed on the reemployment list for the appropriate classification.

If, during the course of the leave of absence, the employee has obtained a permanent position elsewhere, it shall be the duty of the employee to notify the appointing authority by tendering his resignation from the position from which he was granted a leave of absence.

Persons filling vacancies created by an employee's approved leave of absence shall be informed by the appointing officer that the tenure of their employment is temporary and subject to the return of the employee granted the leave of absence.

The failure of an employee to notify the appointing officer of his availability for reinstatement within ten days after the expiration of the period of the approved leave of absence shall constitute an automatic resignation.

077-03 Sec. 077-03 Leave of Absence for Court Duty

WPS

Subject to the approval of the appointing officer, an employee may be granted leave with pay from his work for such time as may be required to serve as a witness or juror in a court of law.

077-04 Sec. 077-04 Absence Without Leave

WPS

Absence from duty without leave for a period in excess of ten calendar days may be considered good cause for dismissal from the service.

077-05 Sec. 077-05 Allowance for Sick Leave

WPS

Every employee may, subject to the approval of the appointing authority, be granted sick leave with pay computed on the basis of one work day for each calendar month or major portion of a calendar month of service. The words "calendar month" as used in this section refer to the period from the first to last day of the month.

077-06 Sec. 077-06 Granting of Sick Leave

WPS

Sick leave may be granted by the appointing officer for any of the following reasons:

1. Illness requiring absence from work;
2. Emergency dental care;
3. Contact or exposure to contagious disease under circumstances in which the health of the employees with whom associated or members of the public with whom they necessarily deal would be endangered by attendance on duty;
4. Illness or death in the immediate family of the employee for such periods as the attendance of the employee shall be necessary.

Sick leave may not be granted for absence from work due to pregnancy. Sick leave may be accumulated up to a total of fifty work days.

The appointing authority may require that any request for sick leave be accompanied by a physician's certificate or other proof of the adequacy of the reasons for any officer's or employee's absence during the time for which sick leave is requested.

The appointing officer shall keep proper records and schedules of sick leave granted and shall make such reports to the SDSW as may from time to time be required concerning the sick leave granted or due to each employee.

077-07 Sec. 077-07 Accrued Sick Leave of Transferred Employee

WPS

In the event of the transfer of an employee from one county welfare department to another, the latter county welfare department shall assume no obligation in recognizing any accrued sick leave earned by the employee but not used in the county from which the employee transferred.

077-08 Sec. 077-08 Allowance for Vacation

WPS

Every employee after one year of service shall be entitled to vacation with pay for a period of not less than two calendar weeks nor more than fifteen work days. Vacation with pay may not be granted until one year of service has been completed. Succeeding vacations shall be granted upon, but not before, completion of each year of service and shall be not less than two calendar weeks nor more than fifteen work days in length.

For the purpose of computing vacation allowance, "work days" shall not include Saturday afternoons, Sundays, or legal holidays. Holidays are every Sunday, January 1, February 12, February 22, May 30, July 4, September 9, the first Monday in September, October 12, November 11, December 25, every day on which an election is held throughout the State, and every day appointed by the President of the United States or by the Governor of this State for a public fast, thanksgiving, or holiday. If January 1, February 12, February 22, May 30, July 4, September 9, October 12, November 11, or December 25, falls on Sunday, the Monday following is a holiday. Every Saturday from twelve noon until twelve midnight is a holiday as regards the transaction of business in public offices.

Compensatory pay shall not be given in lieu of vacation earned but not taken at the time an employee leaves the service.

The effective date of this rule as a basis for the computation of earned vacation shall be January 1, 1942. Vacation earned but not taken by an employee prior to the effective date of this rule shall be credited to him on the basis of the rule for computing earned vacation existing in the county prior to January 1, 1942. Thereafter, vacations shall not be cumulative from year to year.

The appointing officer shall keep proper records and schedules of vacations granted and shall make such reports to the SDSW as may from time to time be required concerning the vacation granted or due each employee.

Sec. 077-09 Accrued Vacation of Transferred Employee

077-09

WPS

In the event of the transfer of an employee from one county welfare department to another, the latter county welfare department shall assume no obligation in recognizing any accrued vacation earned by the employee but not taken in the county from which the employee transferred.

Sec. 077-10 Military Leave

077-10

WPS

Whenever the United States is engaged in war or whenever the Governor finds and proclaims that an emergency exists in preparing for National Defense, any permanent or probationary employee of a county agency who enters the military service of the United States shall be granted military leave without pay from his position upon his request. An employee must file with appointing authority written request for military leave for period of his military service prior to his entry into military service. A copy of employee's written request for military leave shall be filed with Personnel Officer.

A military leave shall not constitute employee's separation from employment except as provided for in Sec. 077-15, Reinstatement Following Military Leave. An individual on military leave may not be granted compensation during period of his military leave except as herein provided.

Sec. 077-15 Reinstatement Following Military Leave

077-15

WPS

Any individual granted military leave in accordance with Sec. 077-10, Military Leave, shall have right to be restored to his former position with same status formerly held by him upon application by him in writing to SSWB within 90 days after termination of such military service; *provided*, that position he held at time of his entrance into military service has not been abolished during his absence. In event that such position has been abolished, the individual returning from military leave shall be considered separated from employment and shall lose his right to reinstatement.

The position of an individual on military leave shall be considered as not having been abolished if there is existing at time of request for reinstatement in same county agency in which he was employed at least one position of same classification and title as position in which he was employed at time his military leave was granted. In event that no such position is vacant at time reinstatement is requested, appointing authority shall effect the layoff of an employee who has not been granted military leave in accordance with Sec. 076-05, Reduction of Force, in order to provide a vacant position for individual returning from military leave. However, if individual who replaced the employee on military leave is still employed in that position by county agency at time of requested reinstatement, replacee shall be separated forthwith.

Sec. 077-20 Appointment to Fill Military Leave Vacancy

077-20

WPS

An appointment to a position vacated as a result of military leave under provisions of Sec. 077-10, Military Leave, shall be made from names certified from an appropriate employment list in the same manner as provided for permanent appointment under Sec. 073-60, Certification of Names, except that individual appointed to such a position as result of vacancy created by military leave shall be notified in writing by appointing authority that duration of his employment shall be subject to return and subsequent reinstatement of individual who is on military leave. This provision shall apply likewise to any successive appointment made to same position.

Sec. 077-25 Name of Person Filling Military Leave Vacancy to Remain on Employment List

077-25

WPS

The name of an individual certified from an employment list to fill a position vacated as result of military leave shall remain on that employment list and he shall be certified to all future permanent positions as provided for in Sec. 073-60, Certification of Names, in same manner as if he had not been certified to a position vacated as result of military leave.

Sec. 077-30 Restoration of Name to Employment List After Military Leave

077-30

WPS

If name of an individual is placed on an inactive employment list in accordance with Sec. 073-70, Response by Certified Eligible, or Sec. 073-90, Voluntary Withdrawal from Active List, or if name of an individual is removed from an active employment list in accordance with Sec. 073-10, Removal of Names from Eligible Lists, subdivision 2, because of individual's absence due to military service, his name may be restored to appropriate active employment list by presenting written evidence of such military service to SDSW within 90 days after termination of his military service. In event that employment list existing at time of individual's entrance into military service has expired at time individual requests restoration to employment list, name of individual shall be restored to active employment list resulting from an examination given during his military service. In event that employment list containing name of individual has been replaced since his entrance into military service by an employment list resulting from another examination, name of individual shall be ranked on new active employment list on basis of his total percentage rating in the earlier examination and in proper relationship to the other total percentage ratings on the more recent examination.

078-00 **Sec. 078-00 Service Ratings****WPS**

The SDSW in consultation with appointing authorities shall establish and make effective a system of service ratings designed to give a fair evaluation of quality and quantity of work performed in agencies. In so far as practicable, systems of service ratings in agencies shall be uniform. Such ratings shall be prepared and recorded for all permanent employees at regular intervals not to exceed six months and for probationary employees at intervals of three months and before end of last month of probationary period. Service ratings shall be considered in determining salary advancements and in making promotions, demotions, dismissals, and in determining order of separations due to reduction of force. An employee shall be notified of his service rating in writing by SDSW.

It shall be duty of appointing authority during probationary period of each employee to investigate thoroughly his conduct, capacity, moral responsibility and integrity to determine whether employee is fully qualified for permanent status. Report on those and other designated qualities and characteristics shall be made for each probationary employee at end of each three months, and maintained in county agency subject to inspection of SDSW. Before end of last month of probationary period, such reports and a final report shall be made to SDSW on forms prescribed by SDSW.

078-50 **Sec. 078-50 Interference With Elections****WPS**

No employee of a county agency or SDSW, engaged on a full- or part-time basis in administration and operation of State public assistance or Child Welfare Services programs, shall use his official authority or influence for purpose of interfering with an election or affecting the results thereof. All persons occupying positions other than those exempted in definition 4, Sec. 070-00, Definitions, while retaining the right to vote as they please and to express privately their opinions on all political subjects, shall take no active part in political management or in political campaigns.

078-60 **Sec. 078-60 Religious and Political Discrimination or Disclosure****WPS**

No question in any form of application or in any examination shall be so framed as to elicit information concerning political or religious opinions or affiliations of any applicant, nor shall any inquiry be made concerning such opinions or affiliations, and all disclosures thereof shall be disconcerted. No discriminations shall be exercised, threatened, or promised by any person in employ of county agencies or SDSW against or in favor of any applicant, eligible, or employee because of his political or religious opinions or affiliations except as provided in Subdivision 11, Sec. 071-95, Disqualification of Applicants.

No recommendation of any applicant, eligible, or employee involving a disclosure of his political or religious opinions or affiliations shall be considered or filed by county agencies, SSWB, or any officer or employee of any agency concerned in making appointments or promotions.

078-80 **Sec. 078-80 Other Employment****WPS**

No employee shall have conflicting employment while in employ of a county agency. Determination of such conflict shall be made by SDSW.

079-00 **Sec. 079-00 Payroll Certification****WPS**

In cooperation with county agencies, a plan shall be adopted providing for certification of payrolls by SDSW. Such plans shall provide for review of payrolls within four weeks following each payroll period.

079-30 **Sec. 079-30 Records and Reports****WPS**

SDSW shall establish and maintain a service record for each employee, showing name, title, organizational unit, salary, changes in status, service ratings, and such other personnel information as may be considered pertinent. Every recommendation for temporary or permanent change in status of an employee shall be submitted on prescribed forms to SDSW which shall submit recommendations to appointing authority. All personnel records shall be open to inspection of SSWB. SDSW shall make written report annually, to SSWB and county agencies on personnel activities and procedures of county agencies. A copy shall be simultaneously filed with examining agency.

079-60 **Sec. 079-60 Cooperation With Other Merit-System Agencies****WPS**

The SSWB may cooperate with other State departments or with Federal or local departments whose merit systems operate in conformity with standards comparable to those contained in these rules. The SSWB may, in the absence of an appropriate eligible list for a particular class of position, recognize an appropriate eligible list for such class of position established under another merit system operating in conformity with these standards, and may accept regular certification from such eligible lists under Sec. 073-60, Certification of Names.

079-70 **Sec. 079-70 Applicability****WPS**

All positions in county agencies engaged in administration of State public assistance and Child Welfare Services programs shall be filled by persons selected on basis of merit in accordance with these rules, excepting those positions in counties in which a merit system has been in effect prior to January 1, 1940, and excepting those positions hereinbefore exempted in Sec. 070-00, Definitions.

In counties in which a merit system has been in effect prior to January 1, 1940, SSWB may delegate to the civil service agency in any such county, responsibility for operation of a merit system plan, providing standards of qualifications and examinations are equal to or higher than standards required by these rules.

079-80 **Sec. 079-80 Amendments****WPS**

If and when it appears desirable in the interest of good administration, the SSWB may, after consultation with the counties, make additions to or amend these rules.

Any county which may in the future adopt a comprehensive merit system program by county ordinance covering personnel administering California public assistance and/or Child Welfare Services programs of the Social Security Act, shall submit copy of ordinance to SSWB. SSWB shall then transmit the ordinance and rules and regulations to the Social Security Board of the Federal Security Agency, and/or the Children's Bureau of the United States Department of Labor, for review and consideration as an amendment to the California Plan.

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Gulbert L. Olson
Governor

STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento
January 19, 1942

Honorable Paul Peek
Secretary of State
Room 109, State Capitol
Sacramento, California

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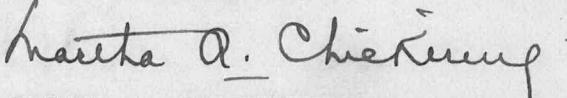
TO:

My dear Mr. Peek:

Attached hereto are three copies of regulations, currently effective, made by the State Department of Social Welfare.

These regulations are filed in accordance with Article 21 of Chapter 3 of Title 1 of Part 3 of the Political Code as amended by Chapter 628, Statutes of 1941.

Very sincerely yours,



MARTHA A. CHICKERING, Director
Department of Social Welfare

172:387
Enclosure

Culbert L. Olson

Governor

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Department of Social Welfare

MISS MARTHA A. CHICKERING

DIRECTOR

Sacramento
January 5, 1942

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TO:

DEPARTMENT BULLETIN NO. 73-A

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Re: Old Age Security and Aid to
Blind - Contributions from
Relatives Employed on WPA

Department Bulletin 73 setting forth a scale to determine the maximum value to be placed upon contributions by a responsible relative employed on WPA and living in the home of the recipient of OAS, ANB or APSB was rescinded by the Social Welfare Board on December 18, 1941.

If living with an applicant or recipient the extent to which the applicant or recipient is actually in receipt of assistance from a responsible relative employed on WPA shall be determined on the basis of the facts in the case and the case record must show the basis on which the amount of the factual contribution was determined.

In OAS the provisions of Section 2181 of the Welfare and Institutions Code and Section 172-00 of the Manual of Policies and Procedures apply in determining the maximum degree of liability of responsible relatives employed on WPA for which recovery action under the provisions of Section 2224 may be taken.

Very sincerely yours

Marta A. Chickering

MARTHA A. CHICKERING, Director
Department of Social Welfare

(Authority: Sections 2140 and 2160,
Welfare and Institutions
Code.)

Culbert L. Olson
Governor

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STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento

January 29, 1942

Honorable Paul Peek
Secretary of State
Room 109, State Capitol
Sacramento, California

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IN REPLY PLEASE REFER

TO:

My dear Mr. Peek:

Attached hereto are three copies of regulations, currently effective, made by the State Department of Social Welfare.

These regulations are filed in accordance with Article 21 of Chapter 3 of Title 1 of Part 3 of the Political Code as amended by Chapter 628, Statutes of 1941.

Very sincerely yours,

Martha A. Chickering
MARTHA A. CHICKERING, Director
Department of Social Welfare

172:387

Attachments

FILED

in the office of the Secretary of State
OF THE STATE OF CALIFORNIA

JAN 29 1942

PAUL PEEK, Secretary of State

By _____
Deputy

Culbert L. Olson
Governor

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STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento
January 19, 1942

DEPARTMENT BULLETIN NO. 173

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

IN REPLY PLEASE REFER

TO

Re: GUARDIANSHIP

Old Age Security and Aid to the Blind

Only a person who has been granted letters of guardianship by a court of competent jurisdiction may act in that capacity for an applicant for or recipient of Old Age Security, Aid to the Needy Blind, or Aid to Partially Self-Supporting Blind Residents. Since a court order appointing a guardian is not effective until letters of guardianship have been issued, any act by the guardian prior to the date of issuance of the letters of guardianship is not valid.

Types of Guardianship

There are three types of guardianship: (1) of the person, (2) of the estate, and (3) of both person and estate.

- (1) A guardian of the person is an individual appointed by the court to take care of the person of his ward. He determines where and how his ward lives. He may fix the residence of his ward at any place in the State but not elsewhere without permission of the court. In order to fix residence other than where the ward is living, the guardian must affirmatively declare intent for his ward. Since a guardian of the person only may not act for his ward in financial matters, both his signature and that of his ward are required on (1) an application for the ward for Old Age Security, Aid to the Needy Blind, or Aid to Partially Self-Supporting Blind Residents, and (2) a reaffirmation of eligibility. Only the guardian's signature alone is required on any affidavit pertaining to the person or whereabouts of his ward, such as age, citizenship, residence, etc. Such a guardian's signature is neither needed nor valid on documents relating to the finances and/or property of his ward.
- (2) A guardian of the estate only is responsible for all financial and property matters of his ward, subject to the terms of his bond and the order of the court granting letters of guardianship. Since he has no responsibility for the person or whereabouts of his ward, the signatures of both the guardian and his ward are required on (1) an application for the ward for Old Age Security, Aid to Needy Blind or Aid to Partially

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(2) Continued

Self-Supporting Blind Residents, and (2) a reaffirmation of eligibility. Only the guardian's signature alone is required on all documents pertaining to the finances or property of his ward, such as: warrants and/or checks, authorizations for financial investigation, property conveyances, contracts of a financial nature, etc.

(3) A guardian of both person and estate has all the responsibilities outlined above for both the personal welfare of his ward and all financial and property matters. Since such a guardian has entire responsibility for the ward and his finances, his signature alone is valid on any or all the documents listed under (1) and (2) above.

Payment of Aid

The type of guardianship most often encountered among recipients of or applicants for Old Age Security, Aid to the Needy Blind, or Aid to Partially Self-Supporting Blind Residents is guardianship of the estate, usually without, but occasionally combined with, guardianship of the person. If aid is granted, the warrants are made out to the guardian of the estate for the ward and are delivered to the guardian. Only his endorsement of such warrants as guardian is valid and the county shall include the guardian's signature in the county signature file.

Guardianship of the person only does not affect the payment of aid and warrants shall be made payable to the recipient whose signature remains valid on all financial documents.

Evidence of Guardianship

Certified copies of letters of guardianship need no longer be forwarded to the State office, but the attached "Summary of Letters of Guardianship", Form DPA 5, shall be completed and signed by the worker who reviewed the letters of guardianship, and submitted to the State Department of Social Welfare as indicated below under "Procedure".

(An initial supply of Form DPA 5 will be sent to each county and until further notice additional supplies may be obtained on requisition, free of charge, from the State Department of Social Welfare)

Procedure

(a) When a guardian is appointed prior to application

If the applicant has a guardian of the person, or the estate, or both, at the time of application, Form DPA 5 shall be completed and shall be considered a mandatory supplement to the Certificate of Eligibility (Ag 201, BI 201 or BI 201A) to be forwarded to the State office with the application. A copy of Form DPA 5 shall be attached to each copy of Form 201 retained for county use.

(b) When a guardian is appointed subsequent to application

If a guardian of the estate (or person and estate) is appointed for a recipient after aid is granted, a Notice of Change together with a copy of Form DPA 5 shall be sent to the State office reporting the change of payee, Notice of Change effective the first of the month following the date letters of guardianship were issued.

If a guardian of the person only is appointed for a recipient after aid is granted, a copy of Form DPA 5 shall be completed at the time of the next annual renewal and forwarded to the State office with the Form Ag 207, Bl 207, Ag 208 or Bl 208.

(c) In transfer cases

When a recipient who has a guardian of the person, or the estate, or both, moves to another county and transfer arrangements are contemplated, it shall be the responsibility of the first county to notify the second county of the guardianship by attaching a copy of Form DPA 5 to the "Notification of Transfer", (Form Ag 215, or Bl 215) forwarded to the latter county.

It should be borne in mind by both counties that an individual who has a guardian of the person (with or without estate) is not capable, himself, of exercising the requisite intent to establish residence but the guardian may, by expression or action, show intent of residence for his ward.

(d) When guardianship is vacated

When the letters of guardianship are vacated and a recipient's guardian discharged, or the guardian resigns, or the guardianship is terminated by the death of the guardian, the county shall notify the State office immediately of the termination of the guardianship, giving the date of the court order vacating the guardianship.

If another guardian is subsequently appointed, Form DPA 5 shall be completed and forwarded to the State office as described in (b) above.

Costs of Guardianship

The costs of guardianship (i.e., court costs, attorney's and bonding fees) may not be paid from the grant of aid nor may such costs be considered a need (either basic or excess) of the ward in computing the grant of aid.

Public Official as Guardian of Estate

Attorney General's Opinion NS3160 states, in part:

"Irrespective of the provisions of Section 5077, it is our opinion that if a county employee should be appointed by a court the guardian of a recipient of aged

aid or of aid to the needy blind, your department would be justified in refusing to extend aid where in fact the duties of the guardian as a county employee and that of guardian are incompatible."

The following rules apply:

- (1) Aid may not be granted to a ward whose guardian of estate is an employee of the county welfare department.
- (2) Aid may be granted to a ward whose guardian of estate is an employee of the State Department of Institutions, but there will be no Federal participation in aid so paid.

Very sincerely yours,



MARTHA A. CHICKERING, Director
Department of Social Welfare

Attachment

(Authority: Section 1500, Probate Code)
Section 2140, W.& I.C.)
Section 3075, W.& I.C.)

Case Name _____

County No. _____

SUMMARY OF LETTERS OF GUARDIANSHIP

County Name	State Number	Category

THIS IS TO CERTIFY that letters of guardianship were reviewed and contain the following information:

1. On _____ letters of guardianship were issued
(Date)
2. To _____ who was appointed
(Name of Guardian)
3. Guardian of the _____
(Person and/or estate)
4. Of _____
(Name of Ward)
5. By _____
(Name of Court)

Evidence is in the possession of _____

Is the guardian a public official? _____ If so, _____
(Yes or No) _____ (County or State)

Give title of position _____,

and Department _____,

and any special instructions of the court appearing in the order appointing the
guardian. _____

(Signed)

(Signature of Worker Reviewing Evidence)

Date: _____

Calbert T. Olson

Governor

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STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento
January 21, 1942

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IN REPLY PLEASE REFER

TO

DEPARTMENT BULLETIN NO. 175

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: OAS, ANB, APSB AND ANC. -
Absence from the State

In accord with a policy adopted by the Social Welfare Board on December 19, 1941, the following rulings relating to OAS, ANB, APSB and ANC are effective immediately.

Continuance of Aid While Recipient Absent from State

If a recipient of OAS, ANB, APSB, or a child receiving ANC has left the State for a temporary period without loss of California residence, aid may be continued until the last day of the second month following departure, and longer in unusual circumstances. Absence from the State due to fear or apprehension during the period of hostilities may be interpreted as absence because of unusual circumstances, and in such cases aid may be continued until the last day of the 12th month following departure.

Exception: A minor whose State residence is contingent solely upon his own physical presence in California and not upon intent e.g., whole orphan child not born in California loses such residence upon departure from the State, and aid shall be discontinued as of the last day of the month of departure.

A recipient of OAS, ANB, APSB, who goes to another state and whose aid continues beyond the second month following departure due to "unusual circumstances" shall be required to report at the end of the two months' period his intent with regard to residence, his living arrangements, his income, and the contribution, if any, which is being made by him to cover his share of expense in the household. When a child accompanies his parent to another state and aid continues beyond the second month following departure, such parent shall be required to inform the county of any change in intent with regard to residence and to report on the continued need for ANC.

When children receiving ANC remain out of the State for more than two months due to unusual circumstances, arrangements shall be made with the welfare department in the locality where they are living to contact the recipient to determine

that the children are receiving adequate care, and to report periodically to the county welfare department granting aid.

When warrants are mailed out of the State on a continuing basis counties may wish to verify the whereabouts of the recipients of public assistance through forwarding occasional warrants by registered mail, return receipt requested.

Reinvestigation During Absence from the State

In OAS, ANB and APSB when reinvestigation of eligibility falls due during a period of absence, the recipient shall be requested to complete the Reaffirmation of Eligibility and have his signature acknowledged before a notary or other person authorized to attest his signature. The recipient shall be required to return the Reaffirmation together with a statement of his intent with respect to residence and his living arrangements. It is not necessary to ask an agency in the community in which he is living temporarily to make a home call but the reinvestigation shall otherwise be completed in accord with the usual reinvestigation procedure for the particular category of aid.

An eye examination by a duly licensed and practicing physician skilled in diseases of the eye is required to assure continuance of eligibility in ANB and APSB unless the county has been advised by the State Consulting Ophthalmologist that such re-examination is not necessary. During temporary absence from the State, the State Department of Social Welfare will assist in arranging for acceptable examination upon a written request from a county.

In ANC, if reinvestigation of eligibility falls due during a period of absence from the State, the county welfare department in the locality where the children are living shall be requested to assist in the completion of the Reaffirmation of Eligibility.

Absence From the County

As outlined in the Manual of Policies and Procedures, Section 124-00, aid shall be continued for the recipient who goes to another county or counties in this State without intent to establish residence elsewhere and whose need continues. Therefore, recipients who are temporarily absent from the county of residence due to fear or apprehension during the period of hostilities may continue to live outside the county of residence and receive aid so long as there is no intent to establish residence elsewhere and need continues.

Very sincerely yours

Martha A. Chickerling

MARTHA A. CHICKERING, Director
Department of Social Welfare

(Authority: Section 1525, W.& I.C.)
Section 2160, W.& I.C.)
Section 3040, W.& I.C.)
Section 3041, W.& I.C.)
SECTION 3042, W.& I.C.)
Section 52, Political Code)

Gulbert A. Olson
Governor

STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento

January 23, 1942

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IN REPLY PLEASE REFER

TO

DEPARTMENT BULLETIN NO. 176

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Residence of Juvenile Court Wards
Attorney General's Opinion NS3845

Attached is a copy of Attorney General's Opinion NS3845 rendered on a case decision which pertains to residence of a ward of the Juvenile Court under Section 1526 of the Welfare and Institutions Code.

According to the opinion, and for the purposes of Aid to Needy Children, "legally deprived of its custody" in Section 1526, paragraphs (a) and (b), is held to mean deprived of custody (1) because of the appointment of a legal guardian (2) by reason of a court order declaring the child free from the parent's care and custody under Section 775 et seq. of the Welfare and Institutions Code or (3) by court order in a divorce action.

A parent of a child who is made a ward of the Juvenile Court under Section 700 of the Welfare and Institutions Code and committed to the care of those enumerated in Section 740 of the Welfare and Institutions Code is not deprived of custody by reason of such commitment. Therefore, his residence would be governed by (a) or (b) of Section 1526 if they are otherwise applicable. The residence of a child who is declared free from the care and custody of his parent under Section 775 et seq. of the Welfare and Institutions Code is not governed by (a) or (b) of Section 1526.

Counties shall review their current Aid to Needy Children cases involving children who are wards of the Juvenile Court in light of this opinion, and initiate steps toward adjustments accordingly. Each record must show whether the child has been made a ward of the Juvenile Court under Section 740 or Section 775.

Very sincerely yours

Martha A. Chickering
MARTHA A. CHICKERING, Director
Department of Social Welfare

Attach:

EARL WARREN
Attorney General

STATE OF CALIFORNIA
Legal Department

San Francisco, October 18, 1941.

Department of Social Welfare
616 K Street
Sacramento, California.

Attention Miss Martha A. Chickering,
Director

Gentlemen:

This is in reply to your letter asking our opinion on the question of the county residence of three children eligible for needy children's aid. From the case file accompanying your letter it appears that the mother is dead and that the father is now, and has been for many years, a resident of County A. The children were made wards of the Juvenile Court in County A but were not declared free from the custody of the father in accordance with the provisions of section 775 et seq. of the Welfare and Institutions Code. The children have been living with their paternal aunt in County B since 1932. In April 1940 the paternal aunt was appointed guardian of the persons and estates of the children by a Superior Court order in County A. Since more than a year has elapsed since the appointment of guardian the question presented is whether the residence of these children, for the purposes of needy children's aid, is now in County A or in County B, in view of the fact that the children are still wards of the Juvenile Court of County A.

County B maintains that the residence of the children is in County A by reason of the provision of Section 1526(a), whereas County B maintains that the residence is in County A under Section 1526(c).

The pertinent provisions of Section 1526 read as follows:

"For the purposes of this chapter, the county residence of the child shall not be lost until another is gained and shall be determined in accordance with the following rules:

"(a) The residence of the father determines that of the child during the lifetime of the father, unless the father has abandoned the child, has been legally deprived of his custody, or is in fact living separate and apart from the mother of the child; in the latter case the residence of the child is determined by the residence of the parent who has his custody.

* * * *

"(c) If the residence of the child is not determined under subdivisions (a) or (b) hereof, then the residence of any individual who has been appointed

legal guardian or the individual who has been given the care or custody by a court of competent jurisdiction, determines the residence of the child."

In our opinion NS1065, rendered to the former Director of the Department of Social Welfare, we stated, in answer to the question, "For the purposes of this Act does any individual to whom his custody has been legally awarded mean legal guardian?", as follows:

"For the purposes of the act granting aid to needy children, the words 'any individual to whom his custody has been legally awarded' include not only a guardian appointed by the Court, but also the award of custody by the Court in a divorce action, as well as the order of a juvenile court declaring the child free from the custody of its parent or parents.

"In the latter instance, however, it is necessary to distinguish between a commitment where the child is alleged to come within the provisions of section 700 of the Welfare and Institutions Code, the child being made a ward of the juvenile court and committed to the care of those enumerated in section 740 of the Welfare and Institutions Code, and a commitment pursuant to section 775 of the Welfare and Institutions Code, where the child is declared free from the custody and control of his parents. In the first commitment the order made by the court may at any time be changed, modified or set aside, as the judge deems meet and proper. (Section 745, Welfare and Institutions Code) In the second commitment (Sections 775 and 785, Welfare and Institutions Code) any final order made and entered by the court is conclusive and binding upon the person declared free from the custody and control of his parents, upon such parents, and upon all other persons served with citation. After making such final order, the court has no power to set aside, change or modify it, except that the right of appeal still exists. (Section 786, Welfare and Institutions Code) It is therefore only in the second type of commitment that the 'custody' of the child is affected by the order of the juvenile court."

We further held in that opinion as follows:

"Where the children are placed under the care of the grandmother in County B by the Juvenile Court in County A, the children continue under subdivision (d), section 1526, to be residents of county A, i.e., since the children's residence is not governed by section 1526(a), (b) or (c), the children's residence remains that of the last deceased parent who had their legal custody, and consequently the children continue to be a responsibility of County A. Before the children can become residents of County B, it is necessary that the grandmother be awarded their custody, i.e., in this instance she become their legal guardian, and that she take charge of the children with the intention of giving them a permanent home. It would be necessary that the guardianship be in effect one year before the grandmother could establish their residence in County B in accordance with the provisions of section 1527 of the Welfare and Institutions Code."

It is our view that the residence of the children in question followed that of the father, irrespective of the action of the court declaring the children wards of the Juvenile Court since no proceedings were then taken, pursuant to Section 775 et seq. of the Welfare and Institutions Code, and irrespective of the fact that the children were actually living with their paternal aunt in County B, presumably with the acquiescence of the Juvenile Court of County A. Under these

circumstances the father had not been legally deprived of the custody of the children within the meaning of Section 1526(a).

However, upon the appointment of the aunt as guardian of the persons and estates of the children in April, 1940, the effect then was, as pointed out in Opinion NS1065, to legally deprive the father of the custody of the children. This fact rendered subdivision (a) of section 1526 inapplicable for the purpose of determining the residence of the children and caused subdivision (c) of that section to be determinative. Under subdivision (c) the residence of the children follows that of the legally appointed guardian which, in the case at issue, is, in our opinion, in County B. See, also, opinion NS1549.

Very truly yours,

EARL WARREN, Attorney General

By /s/ T. A. Westphal, Jr.
Deputy

Calbert A. Olson
Governor

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MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento

January 30, 1942

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TO

FILED
in the office of the Secretary of State
OF THE STATE OF CALIFORNIA

FEB 11 1942

DEPARTMENT BULLETIN NO. 121-B

PAUL PEER, Secretary of State

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Revised Form B1 201,
Certificate of Verification
of Eligibility for Aid to
the Needy Blind.

Attached is a copy of revised Form B1 201, Certificate of Verification of Eligibility for Aid to the Needy Blind, which revision was approved by the Social Welfare Board on January 23, 1942.

The amended provisions of Section 3084, Chapter 1, Part 1, Division 5, Welfare and Institutions Code, which became effective July 1, 1941, necessitated a revision of Form B1 201. A distinction is no longer made in Chapter 1 between "exempt" and "non-exempt" income; therefore, these words have been deleted from Item 7D on the Certificate of Verification of Eligibility and space has been provided for recording net income, source from which it is derived (See Department Bulletin No. 144-Revised, issued August 23, 1941, and Department Bulletin No. 171, issued January 29, 1942), and method of verification.

Item 7E has been added to the Certificate of Verification of Eligibility to provide space for recording the required information relative to need in excess of \$50 a month as outlined in Department Bulletin No. 144 - Revised, page 5.

A supply of printed Form B1 201 will soon be available through the State Bureau of Purchases, State Office Building No. 1, Sacramento. Pending availability of the printed form, a temporary supply may be obtained upon request from the State Department of Social Welfare.

Very sincerely yours

(Authority: Section 3075, Welfare
and Institutions Code)

MARTHA A. CHICKERING, Director
Department of Social Welfare

Martha A. Chickering

CERTIFICATE OF VERIFICATION OF ELIGIBILITY FOR AID TO THE NEEDY BLIND

APPLICANT'S NAME (GIVE FULL NAME AS ON FORM BL 200)	COUNTY NUMBER	FORMER STATE NUMBER IF A TRANSFER OR REAPPLICATION	STATE NUMBER
<u>ELIGIBILITY REQUIREMENTS</u>		<u>PROOF OF ELIGIBILITY INCLUDING NATURE, DATE & LOCATION OF EVIDENCE</u>	
1. <u>BLINDNESS:</u> A. HAS OBTAINED EVIDENCE OF DEGREE OF BLINDNESS B. BECAME BLIND WHILE A RESIDENT OF CALIFORNIA	YES OR NO YES OR NO	1.	
2. <u>AGE:</u> A. HAS ATTAINED THE AGE OF 16 YEARS B. BIRTHDATE	YES OR NO	2.	
3. <u>RESIDENCE:</u> A. HAS STATE RESIDENCE B. HAS COUNTY RESIDENCE C. HAS NO COUNTY RESIDENCE IN PRESENT COUNTY	NUMBER YEARS VERIFIED NUMBER YEARS VERIFIED DATE RES. ESTABLISHED	3.	
4. <u>PUBLIC INSTITUTION:</u> A. IS AN INMATE OF A PUBLIC INSTITUTION B. NAME OF INSTITUTION	YES OR NO	4.	
5. <u>PRIVATE INSTITUTION:</u> A. IS AN INMATE OF A PRIVATE INSTITUTION B. NAME OF INSTITUTION C. INSTITUTION IS ONE IN WHICH AID MAY BE ALLOWED	YES OR NO YES OR NO	5.	
6. <u>PROPERTY ASSIGNMENT:</u> A. HAS MADE VOLUNTARY ASSIGNMENT OF PROPERTY TO QUALIFY FOR AID B. DATE OF ASSIGNMENT	YES OR NO	6.	
7. <u>NEED:</u> A. HAS REAL PROPERTY COUNTY ASSESSED VALUE ENCUMBRANCE OF RECORD	\$	7A.	
B. HAS PERSONAL PROPERTY (FURNITURE, CARS, JEWELRY, LIVESTOCK, ETC.) COUNTY ASSESSED VALUE ENCUMBRANCE OF RECORD	\$	B.	
C. HAS OTHER PERSONAL PROPERTY OF A TOTAL NEGOTIABLE VALUE OF 1. CASH 2. MORTGAGES 3. TRUST DEEDS 4. STOCKS & BONDS 5. INSURANCE (CASH SURRENDER VALUE) 6. OTHER ENCUMBRANCE OF RECORD	\$	C.	
D. HAS NET INCOME AS FOLLOWS: SOURCE AMOUNT \$		D.	
E. HAS NEED IN EXCESS OF \$50 PER MONTH IN THE AMOUNT OF \$			

Calbert L. Glenn

Secretary

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STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento
January 29, 1942

DEPARTMENT BULLETIN NO. 171

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

IN REPLY PLEASE REFER

Subject: Income

Aid to Needy Blind, Section 3084
Aid to Partially Self-Supporting
Blind Residents, Section 3472

This bulletin is issued to bring together existing regulations relating to income which appear in numerous department bulletins other than as expressed in Department Bulletin No. 144 Revised. Pending the formulation of more definite policies relating to need in excess of the basic grant, casual income, and inconsequential resources, the issuance of the Income Chapter of the Manual of Policies and Procedures is delayed and meanwhile it is hoped that this bulletin together with Department Bulletin No. 144 Revised, issued August 23, 1941, will facilitate county operations.

This bulletin also presents the new ruling as adopted by the Social Welfare Board on December 18, 1941 relating to determination of net income from subrental of rooms and attention is particularly directed to that ruling which appears on pages 2 and 3. This new ruling becomes effective immediately and all actions of the Board of Supervisors which are taken on applications and Notices of Change ninety days or later from the date of this bulletin must be in accord with this ruling.

All other regulations in this bulletin have been in effect heretofore as indicated by citation of the former bulletins in which they appeared, the only changes being (1) the deletion of reference to "exempt" and "non-exempt" income with regard to Aid to Needy Blind, which differentiation ceased to exist in that program when amended Section 3084, Chapter 1, Part 1 of Division V, Welfare and Institutions Code, became effective on July 1, 1941, and (3) the application of former income policies to the new category, Aid to Partially Self-Supporting Blind Residents, Chapter 3, Part 1 of Division V, Welfare and Institutions Code.

Section 3472, Chapter 3, Part 1 of Division V, Welfare and Institutions Code, Aid to Partially Self-Supporting Blind Residents, provides that income from certain sources is "exempt" from consideration to a total of \$400 a year. With this exception and the provision relating to casual income, inconsequential resources and actual need which may be in excess of the basic grant (See Bulletin No. 144

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Revised), the general policies regarding income are the same for the Aid to Partially Self-Supporting Blind Residents program as for the Aid to Needy Blind program. The provisions of Bulletin No. 144 Revised pertaining to casual income, inconsequential resources and actual need in excess of the basic grant refer only to Aid to Needy Blind.

Very sincerely yours

Martha A. Chickerling

MARTHA A. CHICKERING, Director
Department of Social Welfare

(Authority: Sections 3084, 3472, 3075, 3460, 3461,)
Welfare and Institutions Code)

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* * * * *

AID TO NEEDY BLIND
AID TO PARTIALLY SELF-SUPPORTING BLIND RE ENTS

I. INCOME PROVISIONS OF ANB AND APSB LAWS

1. ANB Law - Section 3084:

"The amount of aid to which any applicant shall be entitled shall be, when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, fifty dollars (\$50) per month. If, however, in any case it is found the actual need of an applicant exceeds fifty dollars (\$50) per month, such applicant shall be entitled to receive aid in an amount, not to exceed fifty dollars (\$50) per month, which when added to his income (including the value of currently used resources, but excepting casual income and inconsequential resources) from all other sources, shall equal his actual need."

2. APSB Law - Section 3472:

"The amount of aid to which any applicant shall be entitled shall be, when added to the income of the applicant from all other sources, fifty dollars (\$50) per month. Income from any of the following sources of a combined total value not exceeding four hundred dollars (\$400) per annum shall not be considered for any purpose:

- (a) Income from applicant's labor or services;
- (b) The value of foodstuffs produced by the applicant or his family for his use or that of his family;
- (c) The value of firewood and/or water produced on the premises of the applicant or given to him by another for the applicant's use;
- (d) The value of gifts other than regular contributions by relatives legally responsible under this act;
- (e) The value of the use and occupancy of premises owned and occupied by the applicant;
- (f) The net income from real and personal property owned by the applicant.

"Income in addition to the above specified shall be computed on the basis of net income."

II. NEW POLICIES RESULTING FROM AMENDMENTS TO SECTION 3084, WHICH AMENDMENTS BECAME EFFECTIVE JULY 1, 1941 (ANB)

See Department Bulletin No. 144 Revised, issued August 23, 1941, for policies relating to:

1. Need in excess of the basic grant.
2. Casual income and inconsequential resources.
3. Value of occupancy of homes owned by recipients of aid.

Note: The formula for determining value of occupancy of homes owned by recipients of aid as appears in Bulletin No. 144 Revised is applicable to recipients of Aid to Partially Self-Supporting Blind

Residents as well as recipients of Aid to Needy Blind. (See income provisions of APSB Law quoted on page 1 for amount and sources of "exempt" income for recipients of Aid to Partially Self-Supporting Blind Residents.)

4. Current income defined.

III. MONIES RECEIVED FROM THE FOLLOWING SOURCES CONSTITUTE INCOME (ANB, APSB)

1. Income from labor and services, which includes:

(a) Wages, salaries and commissions paid for services performed.
(Department Bulletin No. 57, issued August 7, 1937)

Note: See Item 5, page 5, of this bulletin for allocation of earnings to ineligible spouse without support.

(b) Net proceeds from the sale of farm or garden products which the applicant or recipient produces by means of his own labor.
(Department Bulletin No. 57, issued August 7, 1937)

(c) Net income from purveying board and room or from sub-rental of rooms.

The following policy governing the determination of net income from sub-rental of rooms was adopted by the Social Welfare Board on December 18, 1941:

When a recipient rents a house, sub-letting a portion of it, and the rent and utilities for the entire house together with the cost of any necessary service in connection with the renting of rooms is in excess of \$20, subtract \$20 from the total paid for rent, utilities, etc., and deduct the remainder, representing expense attributable to the roomers, from the total rent paid by the roomers. The difference, if any, represents income to be considered in determining the recipient's grant of aid.

Example: A recipient of ANB or APSB pays \$30 rent and sub-lets two rooms for a total of \$28. The total cost of utilities, etc., is \$8. The sum of the house rent and total cost of utilities, etc., is \$38. The first \$20 of this amount is allocable to the recipient. From \$38 deduct \$20, leaving \$18 expense attributable to the roomers. The total rent paid by the roomers (\$28) less \$18 leaves \$10 net income to be considered in determining the grant of aid.

Example: A recipient of ANB or APSB pays \$35 rent and sub-lets two rooms for a total of \$20. The total cost of utilities, etc., is \$10. The sum of the house rent and total cost of utilities is \$45. The first \$20 of this amount is allocable to the recipient. From \$45 deduct \$20, leaving \$25 expense attributable to the roomers. Since this expense exceeds the

N E W E U T H O R N

gross income from the roomers, there is no income to be deducted in determining the grant.

When a house, in which rooms are sub-let, is rented by a couple, either or both of whom receive aid, the same principle shall apply in determining the net income from roomers except that income from the roomers shall be applied toward that portion of the total expense which exceeds \$40 rather than \$20 per month.

Example: A couple, one of whom is receiving ANB or APSB, pays \$35 rent and sub-lets two rooms for a total of \$18. The total cost of utilities, etc., is \$10. The sum of the house rent and total cost of utilities is \$45. Since the maximum expense which may be allocated to the recipient alone is \$20, the couple is responsible for twice this amount or for the first \$40 of the total cost, leaving a remainder of \$5. The difference between the remainder and the amount paid by the roomers is \$13 (\$18 minus \$5). One-half this amount, or \$6.50, represents income to the recipient.

When a recipient rents a house and sub-lets a portion of it, the sum of the house rent and total cost of utilities, etc. being \$20 or less (in the case of a couple \$40 or less), the income from the roomers after deducting their share of the estimated cost of utilities represents income to the recipient (one-half this amount in the case of a couple).

Example: A single recipient of ANB or APSB rents a house for \$11 and sub-lets one room for \$6. The total cost of utilities is \$3. Since the total of the house rent and the utilities (\$14) does not exceed \$20, it is necessary to estimate that portion of the utilities incident to the renting of the room. This amount is determined to be \$1. The net income to the recipient is the difference between the gross rent paid by the roomer (\$6) and the expense incident to the rental of the room (\$1) or \$5. This amount (\$5) shall be considered in determining the grant.

In determining the grant in APSB consideration shall be given to the provision of the law with regard to "exempt" income to the extent of \$400 per year.

2. Net income from real property: (This section refers to the return from income property as distinct from the occupancy value of homes owned by recipients. See Department Bulletin No. 144 Revised, page 6, Formula for Determining the Value of Occupancy to Recipients of Aid to Needy Blind of Homes which they Own and Occupy.)
Note: This formula is also applicable to recipients of Aid to Partially Self-Supporting Blind Residents for determining the value of use and occupancy of premises owned and occupied.

(a) Net income is that income which is available for the support of the applicant or recipient after deducting any reasonable expense in obtaining it, such as property upkeep, interest and taxes. (Department Bulletin No. 57, issued August 7, 1937)

(b) Net rental from property in which the recipient holds life estate shall be considered income. (Department Bulletin No. 80F, issued February 3, 1941)

Net rental paid by a tenant who is a responsible relative for property owned by the recipient or in which the recipient holds life estate is interpreted as rental from property owned rather than as a contribution from a responsible relative. (Department Bulletin No. 80F, issued February 3, 1941)

Under the ordinary life estate agreement the life tenant is assured occupancy of the property, is entitled to all the income therefrom, and is responsible for payment of taxes, upkeep and other obligations to keep the property in good condition. In Aid to Needy Blind when expense items for which the life tenant is responsible are paid by another, the amount thereof represents income. In Aid to Partially Self-Supporting Blind Residents when expense items for which the life tenant is responsible are paid by a responsible relative, the amount thereof represents "non-exempt" income; if paid by a non-responsible relative, such income is subject to the exemption outlined in Section 3472. However, it is the presumption, which may be refuted, that a life estate agreement drawn more than two years prior to application for ANB or APSB and which stipulates that the remainderman shall be responsible for the payment of certain expenses, was not made for the purpose of qualifying the recipient for a greater amount of aid than that to which he would otherwise be eligible. Payments made in accordance with such an agreement do not represent contributions to the life tenant. (Department Bulletin No. 80F, issued February 3, 1941)

(c) The value of the free use and occupancy of property during the statutory redemption period of one year following a foreclosure sale represents income. (Department Bulletin No. 80G, issued February 4, 1941) In Aid to Partially Self-Supporting Blind Residents when the purchaser in the foreclosure sale is a responsible relative, the value of the free use and occupancy of the property is "non-exempt" income. When the purchaser is other than a responsible relative, the value of the free use and occupancy of the property is "exempt" income, subject to the limitations set forth in Section 3472.

(d) Payments from the sale of real property, sold under contract of sale, title not passing, are considered income. Allowance may be made for interest payments on prior encumbrances in order to determine the amount of net income to applicant or recipient. (Department Bulletin No. 80C, issued October 14, 1940)

(e) Net income from real or personal community property shall be shared equally with the spouse, whether eligible or ineligible. This policy does not apply to income from separate property owned by either spouse. (Department Bulletin No. 80J, issued October 10, 1941)

3. Returns from personal property:

Returns to an applicant or recipient of aid in the form of interest on money, bank or building and loan accounts, bonds, dividends upon stock, or other returns from personal property represents income. (Department Bulletin No. 80C, issued October 14, 1940)

4. Insurance:

Cash received by an applicant or recipient as beneficiary of an insurance policy, and cash received on a periodic basis from an insurance policy, owned by an applicant or recipient of Aid to Needy Blind or Aid to Partially Self-Supporting Blind Residents represents income. (Department Bulletin No. 80C, issued October 14, 1940)

5. Annuities, Pensions, Earnings, etc:

Monies received from earnings, annuities, pensions both civil and military, old age benefits and regular payments received because of compensation laws, both industrial and unemployment, and trust funds are considered income except for such allocation as may be allowed the ineligible spouse who is without support. (Department Bulletin No. 80C, issued October 14, 1940)

(a) Income of Eligible Spouse - ANB

The applicant or recipient may allocate to his or her ineligible spouse who is without support, a portion of his income from earnings, annuities, pensions, both civil and military, OASI benefits, regular payments received because of compensation laws, both industrial and unemployment, and any income other than that from separate property owned by applicant or recipient. The amount allocated shall not exceed one-half of such income, and in no event shall it exceed a reasonable amount necessary for the support of the ineligible spouse, as determined by investigation in each individual case. No allocation of such income may be made for the support of minor children. Where the applicant or recipient is receiving OASI benefits, the apportionment to his spouse shall not continue after she has reached the age of 65, at which time she becomes eligible by virtue of her husband's "primary benefit" to payments in her own right. (Department Bulletin No. 80J, issued October 10, 1941)

(This is a change from the former policy as outlined in Department Bulletin No. 80C, which permitted the division of community income with the ineligible spouse to the extent of one-half of such income but in no event to exceed \$33.33 per month. The statement of this former policy as contained in the last paragraph on page 3 of Department Bulletin No. 144 Revised is no longer effective.)

(b) Income of Eligible Spouse - APSB

The applicant or recipient may allocate to his or her ineligible spouse who is without support, a portion of his income from earnings, annuities, pensions, both civil and military, OASI benefits, regular payments received because of compensation laws, both industrial and unemployment, and any income other than that from separate property owned by applicant or recipient. The amount allowed shall not exceed one-half of such income, and in no event shall it exceed \$400 per year. Where the applicant or recipient is receiving OASI benefits, the apportionment to his spouse shall not continue after she has reached the age of 65, at which time she becomes eligible by virtue of her husband's "primary benefit" to payments in her own right. (Department Bulletin No. 80J, issued October 10, 1941)

6. Contributions from legally responsible relatives:

Contributions from legally responsible relatives in cash or kind, i.e., board, room, clothing, payments of premiums on insurance of applicant, etc., represent income. (Department Bulletins No. 121, issued August 3, 1940, and No. 145A, issued July 10, 1941)

- (a) While due regard may be given to the actual market value of contributions in kind, it is suggested, as a guide, that estimates of these items do not exceed \$20 for rent and utilities, \$15 for food, \$10 for clothing and incidentals, and \$5 for miscellaneous (due to handicap). (Department Bulletin No. 57, issued August 7, 1937)
- (b) The ineligible spouse of a recipient may apply to his or her own support and the support of his dependent children such of his income, including earnings, annuities, pensions, etc. as is necessary before applying the remainder, if any, to the support of the recipient. (See Department Bulletin No. 80J, issued October 10, 1941, and Section 171-10, Manual of Policies and Procedures.)
- (c) When both parents are receiving OAS, ANB or APSB, contributions from children shall be allotted equally between the parents, unless a child stipulates that the contribution is not to be so divided. (Department Bulletin No. 111, issued May 8, 1940)

7. Gifts:

Gifts in cash or kind from non-responsible relatives, friends, persons or agencies, including fraternal, benevolent and non-profit organizations, on whom there rests no legal obligation for support, are considered income. (Department Bulletin No. 57 issued August 7, 1937, and Department Bulletin No. 80A, issued September 28, 1939) This does not include the value of the usual small gifts given in commemoration of holidays and anniversaries. (Department Bulletin No. 144 Revised, issued August 23, 1941 - Casual Income)

NOTE: IN DETERMINING THE GRANT IN APSB, CONSIDERATION SHALL BE GIVEN TO THE PROVISION OF THE LAW WITH REGARD TO INCOME FROM THE ABOVE SOURCES (ITEMS 1, 2, 3, 4, 5 and 7) BEING "EXEMPT" TO THE EXTENT OF \$400 PER YEAR.

IV. AMOUNT OF GRANT (APSB)

Section 3472. The income of the applicant from all sources including Aid to the Partially Self-Supporting Blind Residents must be at least \$50 per month. Amount of contributions actually received from legally responsible relatives in cash or kind must be verified, so that the grant in aid will supplement this income to arrive at a total of \$50 a month, except that certain types of income other than contributions from responsible relatives is defined as exempt from inclusion in the \$50 to a total of \$400 per year. Thus, a partially self-supporting blind resident making application for aid having a regular monthly income in excess of \$33.53 per month is deemed to have income sufficient to provide a reasonable and decent standard of living and is ineligible to aid. (Department Bulletin No. 145, issued June 19, 1941)

However, a partially self-supporting blind resident receiving aid may have an income totaling \$400 per year from "exempt" sources and continue to receive the maximum amount of aid, unless a smaller grant must be given because he is receiving contributions from legally responsible relatives. After the exempt income exceeds \$400 in a given year, an adjustment must be made in the amount of aid that will supplement the income to arrive at a total income of \$50 per month from all sources including Aid to Partially Self-Supporting Blind Residents. (Department Bulletin No. 145, issued June 19, 1941)

V. NET INCOME EXEMPT TO \$400 PER YEAR (APSB)

Net income is the factual amount available after deducting the business expense incident to the obtaining of such income, and is that income which is available for the applicant's support. Net income from any or a combination of the exempted sources may be received in an amount not exceeding \$400 per year. (Department Bulletin No. 80, issued September 16, 1939)

VI. ADJUSTMENTS IN AMOUNT OF GRANT (APSB)

(See Department Bulletin No. 144 Revised for adjustment in the grant of ANB)

Adjustments in the amount of aid may be made either on the annual basis or on a monthly basis. As a general rule, irregular income can be handled more easily on the annual basis, no deduction being made until the recipient's income exceeds \$400; and regular income by making the deduction from the amount of the grant each month. (Department Bulletin No. 145, issued June 19, 1941)

In determining the time at which adjustment on the annual basis is to be made, the following rules will prevail:

1. Exempt Income to \$400 per Year:

Where the income for a given year or for any number of months thereof can be determined before the close of said yearly period, the adjustment for deducting any amounts of income in excess of the maximum exemption of \$400 per year will be made on the grant for the first month subsequent to the month in which it is determined that income has exceeded the maximum exemption.

Where the income for a given year can be determined only after the close of said yearly period, the adjustment for deducting any amounts of income in excess of the maximum exemption of \$400 per year will be made beginning with the grant for the first month subsequent to the month in which the amount of income in excess of \$400 is determinable.

It must be kept in mind that only \$400 per year of certain types of income which are specified in the law is exempted from deduction from grants of aid. Care must be taken that all amounts of income in excess of the \$400 per year exemption are deducted and that, taking the adjustments into consideration, the total of income plus aid paid for any given yearly period does not exceed \$1000.

With respect to exempt income to a maximum of \$400 per year, the following rules will prevail in determining the yearly periods, in each of which the exemption of \$400 per year will be allowed:

- (a) For all recipients who received aid under the Aid to Needy Blind Law beginning on or before September 1, 1937, and who transferred to Aid to Partially Self-Supporting Blind Residents Law, the yearly periods will begin on September 1st of each calendar year and will close on August 31st of the following calendar year. The next succeeding yearly period will begin the following day and will close on August 31st of the following calendar year, etc.
- (b) For each recipient of Aid to Needy Blind to whom payment of aid began subsequent to September 1, 1937 and who transferred to Aid to Partially Self-Supporting Blind Residents, as well as those who had not received aid under the Aid to Needy Blind program, the first one-year period will begin as of the first of the month in which aid began and will include such first month together with the eleven subsequent months. The next succeeding yearly period will begin on the first day of the thirteenth month on aid and will include the thirteenth to twenty-fourth months inclusive, etc.

2. Income Not Exempt:

After the income exceeds \$400 in a given year, and where the total income for a given month can be foretold, the adjustment of the grant will be made for the month in which such income is received.

Where the total income for a given month can be determined only during or after the close of the month, the adjustment will be made in the grant of aid beginning with the first month subsequent to that in which the income is determinable or as soon thereafter as possible.

It must be kept in mind that the receipt of any considerable amount of income in a lump sum during a particular month must be considered in conjunction with the valuation of personal property as of the first day of the following month, in order that continued eligibility can be determined. (Department Bulletin No. 80, issued September 16, 1939)

VII. RULES OF EMANCIPATION (ANB, APSB)

There shall be no arbitrary division of earnings of minor children but the method of determining the amount of the earnings of the minor child to be used in a household in supplementing or in any way determining the amount of State aid to be granted shall be based upon the emancipation of such minor. (See Department Bulletin No. 111, issued May 8, 1940 and Section 171-40, Manual of Policies and Procedures)

Culbert L. Olson

Governor

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616 K STREET

LOS ANGELES OFFICE
WASHINGTON BUILDING
311 SOUTH SPRING STREET

SAN FRANCISCO OFFICE
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995 MARKET ST.

STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

Sacramento

March 9, 1942

Honorable Paul Peek
Secretary of State
Room 109, State Capitol
Sacramento, California

SOCIAL WELFARE BOARD

ARCHIBALD B. YOUNG, CHAIRMAN
808 S. SAN RAFAEL AVENUE
PASADENA

MRS. MARY E. BARKWILL
ROUTE 1, BOX 55
LINDSAY

MELVYN DOUGLAS
9484 WILSHIRE BOULEVARD
BEVERLY HILLS

MRS. T. G. EMMONS
POST OFFICE BOX 12
SALINAS

ERWIN M. HIRSCHFELDER
250 FRONT STREET
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BEN KOENIG
1680 NORTH VINE STREET
LOS ANGELES

J. STITT WILSON
1745 HIGHLAND PLACE
BERKELEY

IN REPLY PLEASE REFER

TO:

My dear Mr. Peek:

Attached hereto are three copies of regulations, currently effective, made by the State Department of Social Welfare.

These regulations are filed in accordance with Article 21 of Chapter 3 of Title 1 of Part 3 of the Political Code as amended by Chapter 628, Statutes of 1941.

Very sincerely yours,

Martha A. Chickering
MARTHA A. CHICKERING, Director
Department of Social Welfare 237

172:387
Attachments

FILED

in the office of the Secretary of State
OF THE STATE OF CALIFORNIA

MAR 10 1942

PAUL PEAK, Secretary of State

By *Wm. J. Knight*
Deputy

RELEASE OF INFORMATION RE: SALARIES
OF COUNTY WELFARE DEPARTMENT EMPLOYEES

WHEREAS, the State Department of Social Welfare is frequently asked for information concerning salaries of employees of county welfare departments,

THEREFORE, BE IT RESOLVED that no information shall be given out by employees of the State Department of Social Welfare without specific authorization from the Social Welfare Board or the Chairman of the Social Welfare Board, and

BE IT FURTHER RESOLVED that the only information to be given out by employees of the State Department of Social Welfare would be concerning salary ranges of any classifications of positions within the merit system, and/ or the number of employees in any county welfare department by classification.

Adopted by
State Social Welfare Board
January 21, 1942

(Authority: Sections 103, 119.5, 119.6,)
(Welfare and Institutions Code)

Culbert L. Olson
Governor

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SACRAMENTO
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540 VAN NESS AVENUE

STATE OF CALIFORNIA

Department of Social Welfare

MISS MARTHA A. CHICKERING
DIRECTOR

March 9, 1942

SOCIAL WELFARE BOARD

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BERKELEY

FILED

In the office of the Secretary of State
OF THE STATE OF CALIFORNIA

MAR 19 1942

PAUL D. BROWN, Secretary of State
By *John O'Byrne* Deputy

1297

MANUAL LETTER NO. 19

You receive herewith a chapter on the Social Data Record Card; Revisions 7, 8, 9, and 10, Welfare Personnel Standards; Revisions 1 and 2, Personal Property Chapter and Revisions 1, 2, 3 and 4, Glossary, to be inserted in your copy of the Manual of Policies and Procedures in accordance with the printed Introduction.

Your attention is directed particularly to the following:

Chapter on Social Data Record Card replaces Bulletins No. 25 C and D, No. 26 B through E, No. 30 D and E which are now obsolete.

Sec. 286-00 Forms Ag, Bl and CA 230 (formerly Ag 24, Bl 15 and CA 28) shown in this section, have been revised but only Form CA 230 has been materially changed.

The present stock of Forms CA 230 will be used until June 30, 1942; a supply of the new form to replace your stock will be distributed to you before that date.

Forms Ag and Bl 230 will not have to be replaced. The State Bureau of Purchases will not distribute the revised forms until their stock of the present forms is exhausted.

Counties which print their own forms should copy those shown in this Manual section, as these forms contain references to other Manual sections which explain each item. Such references facilitate the use of the Manual as a guide for proper completion of the Social Data Record Card.

Sec. 076-50 This section now contains procedures for appeals from decisions of qualification appraisal boards.

MANUAL LETTER NO. 19 (Cont'd.)

Sec. 079-60 The Social Welfare Board may recognize and accept certification from an appropriate eligible list for a class of position established under another merit system operating in conformity with Welfare Personnel Standards.

Glossary These revisions include definitions of several terms used in Social Data Record Card Instructions.

The following section has been deleted as the regulations it authorized have been adopted and set forth in subsequent sections:

Sec 077-00 Attendance and Leave

Statements contained in the Manual take precedence over the same material previously released in bulletins.

Sec. 070-00 Definitions

070-00

WPS

The following definitions apply throughout these rules, unless the context clearly requires another meaning:

1. APPOINTING AUTHORITY—the officer, board, commission, person, or group of persons authorized by statute or lawfully delegated authority to make appointments.
2. APPOINTMENT—the offer to and acceptance by a person of a position in the classified service through selection from an eligible list in accordance with Sec. 074-00, Original Appointments.
3. CLASS—a group of positions sufficiently similar as to duties performed, degree of supervision exercised or required, minimum requirements of education, experience, or skill, and such other qualifications that the same title, the same test of fitness and the same schedule of compensation may be applied to each position in the group.
4. CLASSIFIED SERVICE—all positions in the SDSW and county agencies except:
 - a. Members of the State Social Welfare Board.
 - b. The Director of the State Department of Social Welfare.
 - c. Members of any advisory board.
 - d. Personnel employed in county agencies performing duties entirely unrelated to administration of duties outlined in definition 5.
 - e. Members of county boards of supervisors.
 - f. Members of county welfare boards.
 - g. Physicians designated as approved ophthalmologists for aid in the blind examinations and paid on a fee basis for professional services.
 - h. State and local officials serving ex officio and performing incidental administrative duties in the public assistance and child welfare services program.
5. COUNTY AGENCY—the department or departments within the counties which administer Federal-State grants-in-aid as follows:
 - a. Aid to Needy Children. (Chapter 1, Part 2, Division 2, W. & I. C.)
 - b. Old Age Security. (Chapter 1, Division 3, W. & I. C.)
 - c. Aid to the Needy Blind. (Chapter 1, Part 1, Division 5, W. & I. C.)
 - d. Child Welfare Services. (Chapter 1, Section 120, Division 1, W. & I. C.)
6. DEMOTION—a change in status of an employee, from a position in one class to a position in another class having lesser duties and responsibilities, and lower qualifications as described in Sec. 075-60, Demotion.
7. DIRECTOR—the Director of the SDSW.
8. DISMISSAL—the termination of employment of an employee for cause.
9. ELIGIBLE—an applicant for a merit examination who receives a final passing rating and whose name appears on an eligible list.
10. ELIGIBLE LIST—an officially promulgated list of eligibles for a class of position in the order of their final rating in a merit examination as described in Sec. 073-00, Establishment of Eligible Lists.
11. EMERGENCY APPOINTMENT—an appointment made during an actual emergency to prevent the stoppage of public business.
12. EMPLOYEE—any person in the employ of the SDSW not now covered by the State Civil Service Act or by related statutes, or in the employ of a county agency who is engaged on a full- or part-time basis in the administration and operation of State public assistance and Child Welfare Services programs; except that the provisions of this section shall not apply to:
 - a. Persons specifically exempted under definition 4 of this section;
 - b. Personnel of welfare departments in the five civil service counties, and in such additional counties as may hereafter adopt a merit system in accordance with the State enabling statutes; it shall be understood, however, that in view of the responsibility of the SSWB for development and maintaining standards to insure proper and efficient administration of the State public assistance and Child Welfare Services programs, it shall be the duty of the SSWB to approve, and from time to time review for maintenance of standards, the aforementioned merit systems covering the personnel of county agencies of those counties in the State now operating under a merit system and such additional counties as may elect to establish merit systems by ordinance at some future date.
13. EMPLOYMENT LIST—eligible list, promotional eligible list and reemployment list.
14. EXAMINING AGENCY—the State Personnel Board (or any duly authorized employee of the State Personnel Board) or other public personnel agency, selected by the SSWB, to conduct the merit system examinations.
15. EXEMPT POSITION—a position herein designated as a position exempted from the application of this rule.
16. LAY-OFF—termination of employment of an employee without prejudice, because of lack of funds or work, because of natural changes of duties or organization, or in order to permit reinstatement of employee upon his release from period of military service in the armed forces of the U. S.
17. LIMITED TERM APPOINTMENT—an appointment from an eligible list to a position which is established for a limited period not to exceed one day less than the probationary period.
18. LIMITED TERM EMPLOYEE—an employee who holds a position under limited term appointment.
19. MINIMUM QUALIFICATIONS—the qualifications of education and experience, and other qualifications to be measured by written examination or by written examinations and qualification appraisal interviews, as prescribed for a given class in the agencies' classification plan.
20. PERMANENT EMPLOYEE—an employee who has permanent status.
21. PERMANENT STATUS—the status of an employee who is lawfully retained in his position after the completion of the probationary period provided in these rules.
22. PERSONNEL OFFICER—the Departmental Personnel Officer of the SDSW. Duties of this officer are described in Sec. 070-35, Personnel Officer.
23. POSITION—any office or employment in the classified service (whether part-time or full-time, temporary or permanent, occupied or vacant), calling for the performance of certain duties by an "employee" as defined by definition 12.
24. PROBATIONARY PERIOD—the first twelve months of employment following the date of original appointment to a permanent position as described in Sec. 074-50, Nature, Purpose, and Duration of Probationary Period.

25. PROBATIONARY STATUS—the status of an employee who has been certified and appointed from an eligible list or a promotional eligible list but who has not completed the probationary period.

26. PROBATIONER—an employee who has probationary status.

27. PROMOTION—a change in status of an employee, from a position in one class to a position in another class having higher duties and responsibilities, and higher qualifications as described in Sec. 075-00, Method of Making Promotions.

28. PROMOTIONAL ELIGIBLE LIST—a list of persons eligible for certification for a specific class resulting from a promotional examination.

29. PROVISIONAL APPOINTMENT—an appointment made in the absence of any appropriate eligible list as provided for in these rules.

30. PROVISIONAL EMPLOYEE—an employee holding a position under provisional appointment.

31. REEMPLOYMENT LIST—a list of persons of a particular class, but regardless of the county agency, who have probationary or permanent status and who have been legally laid-off.

32. RESIGNATION—the termination of employment of an employee made at the request of the employee.

33. SDSW—the State Department of Social Welfare as provided by Statutes 1937, Chapter 397, exclusive of the Social Welfare Board.

34. SALARY or WAGE—the amount of money or credit received as compensation for service rendered exclusive of mileage, traveling allowances, and other sums received for actual and necessary expenses incurred in the performance of duties in a position of the classified service.

35. SALARY ADVANCEMENT—an increase in salary within the salary range prescribed for the class by the agencies' compensation plan.

36. STATE AGENCY or SSWB—the Social Welfare Board duly constituted as provided by Statutes 1937, Chapter 397.

37. SUSPENSION—an enforced leave of absence for disciplinary purposes or pending investigation of charges made against an employee.

38. TRANSFER—a change from one position to another in the same class or in another class having the same or comparable duties, responsibilities, and entrance qualifications as described in Sec. 075-50, Inter-Agency Transfer of Employee and Sec. 075-55, Inter-Class Transfer of Employee.

39. VETERAN—any person who has served in the U. S. Army, Navy, Marine Corps, Revenue Marine Service, or as an active nurse in the service of the American Red Cross, or in the Army and Navy Nurse Corps in time of war, or in any expedition of the armed forces of the U. S., and received an honorable discharge or certificate of honorable active service, proof of which shall be submitted prior to the date of the examination and under the conditions prescribed by the SSWB. The term "veteran" shall include also any person who has been inducted into the armed forces of the U. S. under the provisions of the Selective Training and Service Act of 1940 and who has received an honorable discharge therefrom.

40. WAIVER—the voluntary relinquishment by an eligible of any right to consideration for appointment and assignment to a specific position.

070-20 **Sec. 070-20 Organization for Merit System****WPS**

The SSWB shall have jurisdiction over this merit system plan and responsibility:

1. To adopt necessary rules for administration of a comprehensive State-wide merit system;
2. To establish general policy and to maintain general supervision over administration of a State-wide merit system, including consultation on preparation and weighting of examinations;
3. To adopt classification plan and compensation plan after consulting with the county agencies;
4. To conclude a contract with examining agency for conducting merit system examinations and for maintaining eligible lists, and for performing other technical personnel services as required as well as to consult with examining agency and establishing general policies for administration of the merit system examinations;
5. To provide for the hearing of all personnel appeals arising from examination procedures which will be heard by the SSWB in the manner prescribed in Sec. 076-50;
6. To promote public understanding of the merit system;
7. To issue reports;
8. To review and consider recommendations for amendments to these rules;
9. To make recommendations to the county agencies relative to their internal personnel practices to assure conformity with these rules;
10. To review personnel operations and to take any action provided by law necessary to enforce the provisions of these rules.

070-25 **Sec. 070-25 Merit System Advisory Committee****WPS**

In order that the SSWB may benefit from consultations and secure the fullest possible information on problems arising from installation of the merit system in counties on a State-wide basis, SSWB may appoint a Merit System Advisory Committee which shall include representatives of the County Supervisors' Association of California and representatives of the Association of California's Executives of Public Welfare.

070-30 **Sec. 070-30 Outside Agency Administering Examinations and Maintaining Eligible Lists****WPS**

In conformity with these rules, the SSWB shall contract with examining agency for administration of the merit system as it relates to preparation, administration, and scoring of examinations; preparation, custody, and maintenance of eligible lists; determination of availability of eligibles for appointment; certification for appointments; determination of adequacy of existing eligible lists; and such other duties as may be prescribed herein or by the SSWB. All services rendered by examining agency shall be on a cost basis.

The agency preparing examinations and maintaining eligible lists shall maintain an office separate and distinct from the offices occupied by SDSW or any county agency.

Sec. 076-40 Dismissal

076-40

WPS

Appointing authority may dismiss any employee who, after appointment, has been convicted of an offense in connection with his duties, or of any felony or crime involving moral turpitude. "Conviction" here means a plea or determination of guilt in any court of record, and when such conviction is final, employee shall have no recourse to appeal to the SSWB.

Appointing authority may dismiss any permanent employee who is negligent or inefficient in his duties, unfit to perform his duties, or is guilty of gross misconduct. In case of such dismissal, employee shall be given 15 days' notice in writing by appointing authority stating specific reasons therefor. In extreme cases involving safety, morale, or efficiency of the service, appointing authority may immediately suspend an employee pending dismissal procedure.

In dismissals for cause and other punishments, like penalties shall be imposed for like offenses.

Whenever a dismissed employee who had permanent status, has been adjudged by the SSWB after appeal as dismissed without sufficient cause by appointing authority, the SSWB may place name of dismissed employee on eligible list from which it was taken with its original percentage rating. Such restoration, however, shall not permit a certification to position or to county agency from which employee has been dismissed, except upon written request of appointing authority.

Sec. 076-50 Appeal for Review of Examinations

076-50

WPS

Beginning the second working day after a written examination has been held and extending for a period of ten working days thereafter, any candidate may inspect a keyed copy of questions in examination in which he has been a candidate, and may during such period of inspection file in writing an appeal against any part of the test, citing item or items against which appeal is directed, and reason for such appeal. An eligible list resulting from such test shall not thereafter be established until all of disputed items have been reviewed and appropriate adjustment made by correction in scoring key or elimination of items. Thereafter, no candidate shall be entitled to further appeal against results of the written examination except on grounds of fraud in scoring papers; provided, that nothing contained in this section shall nullify right of candidate to inspect his papers. Examining agency may provide an opportunity for review of test material at such places for such period of time as circumstances may from time to time require.

Any applicant who has taken an examination may appeal to the SSWB for review of his rating in any part of such examination to assure that uniform rating procedures have been applied equally and fairly. Such appeal must be filed in writing at the office of the SDSW within 30 days after the date on which the notification of the results of such examination was mailed to the applicant.

The SSWB will consider appeals from the decisions and ratings of qualifications appraisal boards solely for the reasons and upon the conditions, as follows:

1. For alleged irregularity, bias or fraud in the conduct of the investigation or interview; or
2. For alleged erroneous interpretation and application of the minimum qualifications prescribed for the examination; and
3. Upon receipt by the SSWB, within thirty days of the sending out of the notice of test results, of a written statement by the competitor setting forth the facts upon which he bases his appeal and the determination by the SSWB whether or not good cause exists for the consideration of the appeal.

If, upon considering such an appeal, the SSWB decides that the competitor possesses the minimum qualifications of education, experience, personal traits and fitness for the classification and merits a passing rating, it shall, in the absence of fraud on the part of the qualifications appraisal board, give him a rating on education, experience, and/or personal qualifications not in excess of the minimum passing grade prescribed for the examination.

A rating in any part of an examination shall not be changed unless compliance with the foregoing conditions has been made and unless it is found by the SSWB that a substantial error has been made. The SSWB's decision with respect to a review or change shall be final and shall be entered in its minutes. A correction in the rating shall not affect a certification or appointment which may have already been made from the eligible list.

076-60 **Sec. 076-60 Appeal From Removal From Eligible List****WPS**

An eligible whose name has been removed from an eligible list for any of the reasons specified in Sec. 073-10, Removal of Names From Eligible List, may appeal to SSWB for reconsideration. Such appeal shall be filed in writing with SDSW within 30 days after date on which notification was mailed to applicant. SDSW shall refer the appeal with all pertinent information to SSWB. SSWB, after investigation, shall make its decision and shall notify the eligible accordingly.

076-70 **Sec. 076-70 Appeal From Dismissal, Suspension, or Demotion****WPS**

Permanent employee who is dismissed, suspended, or demoted shall have right to appeal to SSWB not later than 30 days after effective date of dismissal, suspension, or demotion. Such appeal shall be in writing and shall be transmitted to SDSW which shall arrange a formal hearing within reasonable time after receipt of appeal. Both employee and county agency shall be notified reasonably in advance of the hearing and shall have right to present witnesses and give evidence before SSWB.

The SSWB, within 30 days after the hearing, shall make its recommendations in writing to county agency for consideration. After consideration of recommendations of SSWB, county agency shall make its decision which shall be final and which shall be duly recorded in permanent records of SDSW. SDSW shall, in writing, promptly notify employee of final decision of county.

All hearings and investigations of charges for dismissal of an employee shall be public and shall be governed by the provisions of these rules; and in the conduct thereof neither SSWB, its representative, nor any other party, shall be bound by technical rules of evidence, nor shall informality in any proceedings or in manner of taking testimony invalidate any order, decision, rule, or regulation made, approved, or governed by SSWB.

Appellant at such hearings shall have opportunity to present whatever competent evidence he may desire to submit in his own defense and shall have right to be represented by counsel. Witnesses may be subpenaed by SSWB, and SSWB shall have power to compel attendance of witnesses in accordance with this section.

077-01 **Sec. 077-01 Allowance for Leaves of Absence****WPS**

Subject to the approval of the county welfare director and the county board of supervisors, any permanent employee may be granted a leave of absence without pay for a period not to exceed one year. An original leave of absence granted for a period of less than one year may be extended at the employee's request, and upon the approval of the county board of supervisors, for a period which when added to the period of the original leave of absence will not total more than one year.

077-02 **Sec. 077-02 Granting Leaves of Absence****WPS**

Leaves of absence without pay may be granted to permanent employees for any of the following reasons:

1. To attend an institution of learning to improve the skills, knowledges, and techniques of their work in the county welfare department;
2. Pregnancy;
3. Illness or disability;
4. Any other reason approved by the SDSW.

An employee requesting a leave of absence shall file his request in writing with the appointing officer. Such written request shall include the reasons for the request and the period for which the leave of absence is requested.

The appointing officer shall notify the SDSW of all approved leaves of absence, the period of the leave of absence, and the reasons for which the leave of absence was granted. The separation form (Form PS 21) used by the county welfare departments to report all separations of personnel to the SDSW shall be used for reporting leaves of absence.

An employee granted a leave of absence has a right to reinstatement to his former position upon the expiration of the period of his approved leave of absence, provided his position has not been abolished during his absence. In the event the employee's position has been abolished during the period of his leave of absence, his name shall be placed on the reemployment list for the appropriate classification.

If, during the course of the leave of absence, the employee has obtained a permanent position elsewhere, it shall be the duty of the employee to notify the appointing authority by tendering his resignation from the position from which he was granted a leave of absence.

Persons filling vacancies created by an employee's approved leave of absence shall be informed by the appointing officer that the tenure of their employment is temporary and subject to the return of the employee granted the leave of absence.

The failure of an employee to notify the appointing officer of his availability for reinstatement within ten days after the expiration of the period of the approved leave of absence shall constitute an automatic resignation.

Sec. 077-03 Leave of Absence for Court Duty

077-03

WPS

Subject to the approval of the appointing officer, an employee may be granted leave with pay from his work for such time as may be required to serve as a witness or juror in a court of law.

Sec. 077-04 Absence Without Leave

077-04

WPS

Absence from duty without leave for a period in excess of ten calendar days may be considered good cause for dismissal from the service.

Sec. 077-05 Allowance for Sick Leave

077-05

WPS

Every employee may, subject to the approval of the appointing authority, be granted sick leave with pay computed on the basis of one work day for each calendar month or major portion of a calendar month of service. The words "calendar month" as used in this section refer to the period from the first to last day of the month.

Sec. 077-06 Granting of Sick Leave

077-06

WPS

Sick leave may be granted by the appointing officer for any of the following reasons:

1. Illness requiring absence from work;
2. Emergency dental care;
3. Contact or exposure to contagious disease under circumstances in which the health of the employees with whom associated or members of the public with whom they necessarily deal would be endangered by attendance on duty;
4. Illness or death in the immediate family of the employee for such periods as the attendance of the employee shall be necessary.

Sick leave may not be granted for absence from work due to pregnancy. Sick leave may be accumulated up to a total of fifty work days.

The appointing authority may require that any request for sick leave be accompanied by a physician's certificate or other proof of the adequacy of the reasons for any officer's or employee's absence during the time for which sick leave is requested.

The appointing officer shall keep proper records and schedules of sick leave granted and shall make such reports to the SDSW as may from time to time be required concerning the sick leave granted or due to each employee.

Sec. 077-07 Accrued Sick Leave of Transferred Employee

077-07

WPS

In the event of the transfer of an employee from one county welfare department to another, the latter county welfare department shall assume no obligation in recognizing any accrued sick leave earned by the employee but not used in the county from which the employee transferred.

077-08 **Sec. 077-08 Allowance for Vacation****WPS**

Every employee after one year of service shall be entitled to vacation with pay for a period of not less than two calendar weeks nor more than fifteen work days. Vacation with pay may not be granted until one year of service has been completed. Succeeding vacations shall be granted upon, but not before, completion of each year of service and shall be not less than two calendar weeks nor more than fifteen work days in length.

For the purpose of computing vacation allowance, "work days" shall not include Saturday afternoons, Sundays, or legal holidays. Holidays are every Sunday, January 1, February 12, February 22, May 30, July 4, September 9, the first Monday in September, October 12, November 11, December 25, every day on which an election is held throughout the State, and every day appointed by the President of the United States or by the Governor of this State for a public fast, thanksgiving, or holiday. If January 1, February 12, February 22, May 30, July 4, September 9, October 12, November 11, or December 25, falls on Sunday, the Monday following is a holiday. Every Saturday from twelve noon until twelve midnight is a holiday as regards the transaction of business in public offices.

Compensatory pay shall not be given in lieu of vacation earned but not taken at the time an employee leaves the service.

The effective date of this rule as a basis for the computation of earned vacation shall be January 1, 1942. Vacation earned but not taken by an employee prior to the effective date of this rule shall be credited to him on the basis of the rule for computing earned vacation existing in the county prior to January 1, 1942. Thereafter, vacations shall not be cumulative from year to year.

The appointing officer shall keep proper records and schedules of vacations granted and shall make such reports to the SDSW as may from time to time be required concerning the vacation granted or due each employee.

077-09 **Sec. 077-09 Accrued Vacation of Transferred Employee****WPS**

In the event of the transfer of an employee from one county welfare department to another, the latter county welfare department shall assume no obligation in recognizing any accrued vacation earned by the employee but not taken in the county from which the employee transferred.

077-10 **Sec. 077-10 Military Leave****WPS**

Whenever the United States is engaged in war or whenever the Governor finds and proclaims that an emergency exists in preparing for National Defense, any permanent or probationary employee of a county agency who enters the military service of the United States shall be granted military leave without pay from his position upon his request. An employee must file with appointing authority written request for military leave for period of his military service prior to his entry into military service. A copy of employee's written request for military leave shall be filed with Personnel Officer.

A military leave shall not constitute employee's separation from employment except as provided for in Sec. 077-15, Reinstatement Following Military Leave. An individual on military leave may not be granted compensation during period of his military leave except as herein provided.

Sec. 077-15 Reinstatement Following Military Leave

077-15

WPS

Any individual granted military leave in accordance with Sec. 077-10, Military Leave, shall have right to be restored to his former position with same status formerly held by him upon application by him in writing to SSWB within 90 days after termination of such military service; *provided*, that position he held at time of his entrance into military service has not been abolished during his absence. In event that such position has been abolished, the individual returning from military leave shall be considered separated from employment and shall lose his right to reinstatement.

The position of an individual on military leave shall be considered as not having been abolished if there is existing at time of request for reinstatement in same county agency in which he was employed at least one position of same classification and title as position in which he was employed at time his military leave was granted. In event that no such position is vacant at time reinstatement is requested, appointing authority shall effect the layoff of an employee who has not been granted military leave in accordance with Sec. 076-05, Reduction of Force, in order to provide a vacant position for individual returning from military leave. However, if individual who replaced the employee on military leave is still employed in that position by county agency at time of requested reinstatement, replacee shall be separated forthwith.

Sec. 077-20 Appointment to Fill Military Leave Vacancy

077-20

WPS

An appointment to a position vacated as a result of military leave under provisions of Sec. 077-10, Military Leave, shall be made from names certified from an appropriate employment list in the same manner as provided for permanent appointment under Sec. 073-60, Certification of Names, except that individual appointed to such a position as result of vacancy created by military leave shall be notified in writing by appointing authority that duration of his employment shall be subject to return and subsequent reinstatement of individual who is on military leave. This provision shall apply likewise to any successive appointment made to same position.

Sec. 077-25 Name of Person Filling Military Leave Vacancy to Remain on Employment List

077-25

WPS

The name of an individual certified from an employment list to fill a position vacated as result of military leave shall remain on that employment list and he shall be certified to all future permanent positions as provided for in Sec. 073-60, Certification of Names, in same manner as if he had not been certified to a position vacated as result of military leave.

Sec. 077-30 Restoration of Name to Employment List After Military Leave

077-30

WPS

If name of an individual is placed on an inactive employment list in accordance with Sec. 073-70, Response by Certified Eligible, or Sec. 073-90, Voluntary Withdrawal from Active List, or if name of an individual is removed from an active employment list in accordance with Sec. 073-10, Removal of Names from Eligible Lists, subdivision 2, because of individual's absence due to military service, his name may be restored to appropriate active employment list by presenting written evidence of such military service to SDSW within 90 days after termination of his military service. In event that employment list existing at time of individual's entrance into military service has expired at time individual requests restoration to employment list, name of individual shall be restored to active employment list resulting from an examination given during his military service. In event that employment list containing name of individual has been replaced since his entrance into military service by an employment list resulting from another examination, name of individual shall be ranked on new active employment list on basis of his total percentage rating in the earlier examination and in proper relationship to the other total percentage ratings on the more recent examination.

078-00 **Sec. 078-00 Service Ratings****WPS**

The SDSW in consultation with appointing authorities shall establish and make effective a system of service ratings designed to give a fair evaluation of quality and quantity of work performed in agencies. In so far as practicable, systems of service ratings in agencies shall be uniform. Such ratings shall be prepared and recorded for all permanent employees at regular intervals not to exceed six months and for probationary employees at intervals of three months and before end of last month of probationary period. Service ratings shall be considered in determining salary advancements and in making promotions, demotions, dismissals, and in determining order of separations due to reduction of force. An employee shall be notified of his service rating in writing by SDSW.

It shall be duty of appointing authority during probationary period of each employee to investigate thoroughly his conduct, capacity, moral responsibility and integrity to determine whether employee is fully qualified for permanent status. Report on those and other designated qualities and characteristics shall be made for each probationary employee at end of each three months, and maintained in county agency subject to inspection of SDSW. Before end of last month of probationary period, such reports and a final report shall be made to SDSW on forms prescribed by SDSW.

078-50 **Sec. 078-50 Interference With Elections****WPS**

No employee of a county agency or SDSW, engaged on a full- or part-time basis in administration and operation of State public assistance or Child Welfare Services programs, shall use his official authority or influence for purpose of interfering with an election or affecting the results thereof. All persons occupying positions other than those exempted in definition 4, Sec. 070-00, Definitions, while retaining the right to vote as they please and to express privately their opinions on all political subjects, shall take no active part in political management or in political campaigns.

078-60 **Sec. 078-60 Religious and Political Discrimination or Disclosure****WPS**

No question in any form of application or in any examination shall be so framed as to elicit information concerning political or religious opinions or affiliations of any applicant, nor shall any inquiry be made concerning such opinions or affiliations, and all disclosures thereof shall be discountenanced. No discriminations shall be exercised, threatened, or promised by any person in employ of county agencies or SDSW against or in favor of any applicant, eligible, or employee because of his political or religious opinions or affiliations except as provided in Subdivision 11, Sec. 071-95, Disqualification of Applicants.

No recommendation of any applicant, eligible, or employee involving a disclosure of his political or religious opinions or affiliations shall be considered or filed by county agencies, SSWB, or any officer or employee of any agency concerned in making appointments or promotions.

078-80 **Sec. 078-80 Other Employment****WPS**

No employee shall have conflicting employment while in employ of a county agency. Determination of such conflict shall be made by SDSW.

079-00 **Sec. 079-00 Payroll Certification****WPS**

In cooperation with county agencies, a plan shall be adopted providing for certification of payrolls by SDSW. Such plans shall provide for review of payrolls within four weeks following each payroll period.

079-30 **Sec. 079-30 Records and Reports****WPS**

SDSW shall establish and maintain a service record for each employee, showing name, title, organizational unit, salary, changes in status, service ratings, and such other personnel information as may be considered pertinent. Every recommendation for temporary or permanent change in status of an employee shall be submitted on prescribed forms to SDSW which shall submit recommendations to appointing authority. All personnel records shall be open to inspection of SSWB. SDSW shall make written report annually, to SSWB and county agencies on personnel activities and procedures of county agencies. A copy shall be simultaneously filed with examining agency.

079-60 **Sec. 079-60 Cooperation With Other Merit-System Agencies****WPS**

The SSWB may cooperate with other State departments or with Federal or local departments whose merit systems operate in conformity with standards comparable to those contained in these rules. The SSWB may recognize an appropriate eligible list for a class of position established under another merit system operating in conformity with these standards, and may accept regular certification from such eligible lists under Sec. 073-60, Certification of Names.

079-70 **Sec. 079-70 Applicability****WPS**

All positions in county agencies engaged in administration of State public assistance and Child Welfare Services programs shall be filled by persons selected on basis of merit in accordance with these rules, excepting those positions in counties in which a merit system has been in effect prior to January 1, 1940, and excepting those positions hereinbefore exempted in Sec. 070-00, Definitions.

In counties in which a merit system has been in effect prior to January 1, 1940, SSWB may delegate to the civil service agency in any such county, responsibility for operation of a merit system plan, providing standards of qualifications and examinations are equal to or higher than standards required by these rules.

079-80 **Sec. 079-80 Amendments****WPS**

If and when it appears desirable in the interest of good administration, the SSWB may, after consultation with the counties, make additions to or amend these rules.

Any county which may in the future adopt a comprehensive merit system program by county ordinance covering personnel administering California public assistance and/or Child Welfare Services programs of the Social Security Act, shall submit copy of ordinance to SSWB. SSWB shall then transmit the ordinance and rules and regulations to the Social Security Board of the Federal Security Agency, and/or the Children's Bureau of the United States Department of Labor, for review and consideration as an amendment to the California Plan.

Sec. 140-00 Provisions of the W. & I. Code Regarding Personal Property

140-00

Old Age Security	Aid to Partially Self-Supporting Blind Residents Aid to Needy Blind	Aid to Needy Children
<p>No aid shall be granted or paid to any person who owns personal property, the value of which exceeds \$500.</p>	<p>Aid shall not be received by any person who owns personal or real property, or both, the county assessed valuation of which, less all encumbrances thereon of record, is in excess of \$3,000.</p>	<p>No aid shall be granted or paid for any orphan child who has cash or securities, the total value of which exceeds \$250, nor for any child or children in one family who have, or whose parents have, or the child or children and parents have, cash or securities the combined value of which exceeds \$500. (W. & I. C. 1521.)</p>
<p>The term personal property shall not include a policy or policies of insurance which has or have been in effect at least five years prior to the date of application if the value of the policy or policies at maturity is in an amount not exceeding \$1,000. (W. & I. C. 2163.)</p>	<p>The term personal property shall not include a policy or policies of insurance which has or have been in effect at least five years prior to the date of application, if the value of the policy or policies at maturity is in an amount not exceeding \$1,000. (W. & I. C. 3047 and 3447.)</p>	
<p>Aid shall be granted to any applicant, otherwise eligible, who has not made any voluntary assignment or transfer of property for the purpose of qualifying for aid. (W. & I. C. 2160-g.)</p> <p>Estates for years, when used for the purpose of providing a place of residence for the owners thereof and when such estate is for a period of not less than 10 years, shall be considered real property. (W. & I. C. 2163.5.)</p>		
<p>Aid granted shall not constitute a lien upon any property of the recipient. (W. & I. C. 2225.)</p>		
<p>Any person who, knowing he is not entitled thereto, obtains or attempts to obtain aid to which he is not entitled, or a larger amount than that to which he is legally entitled, or the payment of any forfeited installment grant, is guilty of a misdemeanor, and any person who, knowing that the owner of the property is an applicant, aids or abets in buying or in any way disposing of the property of an applicant shall give 15 days notice of the intention to make the transfer, to the board of supervisors by serving upon the chairman of the board a declaration in writing setting forth the name of the owner of the property, the fact that he is an applicant, a description of the property sufficient to enable it to be identified with reasonable certainty, and the time and place where the contemplated transaction will be completed, and failure to give such notice shall constitute a misdemeanor. (W. & I. C. 2007.)</p>		
<p>No person shall be denied any aid for any transfer of his property which transfer does not deprive him of the present use, enjoyment or income thereof and does not render him ineligible under maximum property limitations. (W. & I. C. 2007.5.)</p>		

140-05 Sec. 140-05 Personal Property, OAS Law

WELF. & INST. C. SECS. 2160(a); 2163.5; 2225; 2007; 2007.5;
2163

OAS

No aid shall be granted or paid to any person who owns personal property, the value of which exceeds \$500.

The term "personal property" shall not include a policy or policies of insurance which has or have been in effect at least five years prior to the date of application if the value of the policy or policies at maturity is in an amount not exceeding \$1,000.

Aid shall be granted to any applicant, otherwise eligible, who has not made any voluntary assignment or transfer of property for the purpose of qualifying for aid.

No person shall be denied any aid for any transfer of his property which transfer does not deprive him of the present use, enjoyment or income thereof and does not render him ineligible under maximum property limitations.

Estates for years, when used for the purpose of providing a place of residence for the owners thereof and when such estate is for a period of not less than 10 years, shall be considered real property.

Any person who, knowing he is not entitled thereto, obtains or attempts to obtain aid to which he is not entitled, or a larger amount than that to which he is legally entitled, or the payment of any forfeited installment grant, is guilty of a misdemeanor.

Any person who, knowing that the owner of property is an applicant, aids or abets in buying or in any way disposing of the property of an applicant shall give 15 days notice of the intention to make the transfer, to the board of supervisors by serving upon the chairman of the board a declaration in writing setting forth the name of the owner of the property, the fact that he is an applicant, a description of the property sufficient to enable it to be identified with reasonable certainty, and the time and place where the contemplated transaction will be completed. Failure to give such notice shall constitute a misdemeanor.

Aid granted shall not constitute a lien upon any property of the recipient.

140-10 Sec. 140-10 Personal Property, ANB and APSB Laws
ANB; APSB

WELF. & INST. C. SECS. 3047; 3447

Aid shall not be received by any person who owns personal or real property, or both, the county assessed valuation of which, less all encumbrances thereon of record is in excess of \$3,000.

The term "personal property" shall not include a policy or policies of insurance which has or have been in effect at least five years prior to the date of application, if the value of the policy or policies at maturity is in an amount not exceeding \$1,000.

140-15 Sec. 140-15 Personal Property, ANC Law
ANC

No aid shall be granted or paid for any orphan child who has cash or securities the total value of which exceeds \$250, nor for any child or children in one family who have or whose parents have or the child or children and parents have, cash or securities the combined value of which exceeds \$500.

141-00 Sec. 141-00 Types of Personal Property CIV. CODE SECS. 663; 991; 993; WELF. & INST. C. SECS. 1521; 1560;
OAS; ANB; APSB 2140; 2148; 2163; 3047; 3075; 3447; 3460

All property which is not real property is personal property. The following types of holding shall be considered when determining the value of the applicant's personal property.

1. Cash on hand, in a bank, in postal savings, or in a safe deposit box, stocks, bonds, notes, mortgages, deeds of trust, live stock and fowl, farm or other implements, vehicles, household goods (other than that which is determined to be an inconsequential resource), jewelry and any other type of property other than real property;
2. The net cash surrender value of any insurance policy of less than five years' standing;
3. The net cash surrender value of all insurance when the policy or policies have a net value at maturity exceeding \$1,000;
4. Dividends on insurance policies left on deposit with the company and available to the applicant upon demand;
5. The value of a commercial or other business enterprise;
6. Proceeds received by recipients from the following sources:
 - a. Nonrecurring lump sum payments received because of judgments, or because of compensation laws;
 - b. Personal property received through inheritance, either by will or succession;
 - c. Cash received in a lump sum from the surrender or maturing of insurance policies;

REVISION RECORD

Revisions issued in changing this chapter will be numbered in sequence. Changes made will be indicated by a vertical line in the margin of the corrected page, against the line or lines changed.

IT IS IMPORTANT that the holder of this Manual check the numbers below, corresponding with the numbers of the revisions when the latter have been incorporated in the Manual and the old pages removed, and that the State Department of Social Welfare be promptly notified in the event a number is passed without receipt of the corresponding numbered sheet.

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Sec. 285-00 Purpose, Collection of Social Data Record Cards

285-00

OAS; ANB; APSB; ANC

The data collected on Social Data Record Card (Form Ag, Bl, or CA 230) provides:

1. The basic material for an annual report required by the Social Security Board;
2. Source data from which estimates on proposed legislation can be prepared for State Legislature;
3. Information against which SDSW may check departmental rulings;
4. Information for release by SDSW for use of county welfare administrators pertinent to the operation of aid programs in each county.

Sec. 286-00 Submission of Social Data Record Cards

286-00

OAS; ANB; APSB; ANC

Social Data Record Card (Form Ag, Bl, or CA 230) shall accompany each approved application (Form Ag, Bl, or CA 200) submitted to SDSW. A Form Bl 230 shall accompany each Bl 200A for an APSB case even though case has been continuously on aid under the regular ANB program.

FORM CA 230

SOCIAL DATA RECORD CARD - AID TO NEEDY CHILDREN

State Department of Social Welfare
Form CA 230 Revised

Code	1. County <u>San Francisco</u>	2. State case number _____																																																																																																														
7. Name of Payee <u>Burns</u> (last name)	May <u>C.</u> (first name) (middle initial)	3. County case number <u>00-000</u>																																																																																																														
8. Address <u>2246</u> (number)	<u>Green Street</u> (street)	4. Date application form CA 200 signed <u>8-25-41</u>																																																																																																														
		5. Date of this approval <u>9-8-41</u> (Board of supervisor's action)																																																																																																														
		6. Status of case: (State Office use only) _____																																																																																																														
<p>9. Total aid to household during month of approval: Exclude OAS, ANB, WPA, CCC, FSA, NYA, Medical and Dental Care, etc. Manual Sec. 288-05 Cash \$ <u>6750</u> Kind <u>1-50</u> Data on Payee: Answer items 10-17 if legal or blood relationship exists between payee and any child.</p> <p>10. Sex (circle one): <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female</p> <p>11. Race (circle one): <input checked="" type="checkbox"/> White <input type="checkbox"/> Negro <input type="checkbox"/> Other (specify) _____</p> <p>12. Year of birth <u>1911</u> Manual Sec. 287-10</p> <p>13. Place of birth <u>Oklahoma</u> Manual Sec. 287-15 (State, country if foreign-born)</p> <p>14. Total years in California <u>6</u> Manual Sec. 287-20</p> <p>15. Place where last spent one year prior to coming to California <u>Washington</u> Manual Sec. 287-25 (State, country if foreign)</p> <p>16. Was case receiving aid from another state during the last 12 months while living in California? Manual Sec. 287-30</p> <p>a. Yes <input type="checkbox"/> b. No <input checked="" type="checkbox"/> State _____ c. Unknown</p> <p>17. Citizenship (circle one): <input checked="" type="checkbox"/> Citizen <input type="checkbox"/> First papers <input type="checkbox"/> Alien Manual Sec. 287-85</p> <p>18. Children for whom ANC is granted according to accompanying CA 200</p> <table border="1"> <thead> <tr> <th>Last name</th> <th>First name</th> <th>Attending school Yes or No</th> <th>Relationship to person named in item 7</th> <th>Date of birth Mo./day/yr. Manual Sec. 287-10</th> <th>Place of birth (State: country if foreign-born) Manual Sec. 287-13</th> <th>Years in Calif.- Manual Sec. 287-20</th> <th>Color or race Manual Sec. 287-24</th> <th>Marital status: real or adoptive parents Manual Sec. 287-45</th> <th>Child living with: (Code as listed above) Manual Sec. 288-25</th> <th>Deprived of support of parents for the following reason: Dead; deserted; imprisoned; mentally or physically incapacitated; tuberculous; unknown Mother Reason Manual Sec. 288-30 Manual Sec. 288-35 Father Reason Manual Sec. 288-30 Manual Sec. 288-35</th> </tr> <tr> <th>(1)</th> <th>(2)</th> <th>(3)</th> <th>(4)</th> <th>(5)</th> <th>(6)</th> <th>(7)</th> <th>(8)</th> <th>(9)</th> <th>(10)</th> <th>(11)</th> </tr> </thead> <tbody> <tr> <td>a. Burns</td> <td>David</td> <td>No</td> <td>Son</td> <td>Mo 4-20-35</td> <td>Wash</td> <td>6yo 1mo</td> <td>Blk</td> <td>Married</td> <td>5</td> <td>Mother <u>3-1-29</u></td> </tr> <tr> <td>b. " Burns</td> <td>Samuel</td> <td>No</td> <td>Son</td> <td>Mo 7-3-36</td> <td>Calif</td> <td>Blk</td> <td>Blk</td> <td>"</td> <td>5</td> <td>spouse <u>single</u></td> </tr> <tr> <td>c. " Burns</td> <td>John</td> <td>No</td> <td>Son</td> <td>Mo 5-15-38</td> <td>Calif</td> <td>Blk</td> <td>Blk</td> <td>"</td> <td>5</td> <td>spouse <u>single</u></td> </tr> <tr> <td>d.</td> <td></td> </tr> <tr> <td>e.</td> <td></td> </tr> <tr> <td>f.</td> <td></td> </tr> <tr> <td>g.</td> <td></td> </tr> <tr> <td>h.</td> <td></td> </tr> </tbody> </table>			Last name	First name	Attending school Yes or No	Relationship to person named in item 7	Date of birth Mo./day/yr. Manual Sec. 287-10	Place of birth (State: country if foreign-born) Manual Sec. 287-13	Years in Calif.- Manual Sec. 287-20	Color or race Manual Sec. 287-24	Marital status: real or adoptive parents Manual Sec. 287-45	Child living with: (Code as listed above) Manual Sec. 288-25	Deprived of support of parents for the following reason: Dead; deserted; imprisoned; mentally or physically incapacitated; tuberculous; unknown Mother Reason Manual Sec. 288-30 Manual Sec. 288-35 Father Reason Manual Sec. 288-30 Manual Sec. 288-35	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	a. Burns	David	No	Son	Mo 4-20-35	Wash	6yo 1mo	Blk	Married	5	Mother <u>3-1-29</u>	b. " Burns	Samuel	No	Son	Mo 7-3-36	Calif	Blk	Blk	"	5	spouse <u>single</u>	c. " Burns	John	No	Son	Mo 5-15-38	Calif	Blk	Blk	"	5	spouse <u>single</u>	d.											e.											f.											g.											h.										
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<p>DO NOT ANSWER ITEMS 19-21 if no legal or blood relationship between any child listed in item 18 and payee.</p> <p>19. Source of income received by members of the household concurrently with receipt of Aid to Needy Children (circle each type): Manual Sec. 288-10 Definition of Household Manual Sec. 287-55</p> <p>a. Employed member(s) 1. WPA b. Unemployment relief 2. NYA c. Unemployment compensation 3. CCC d. Supplemental ANC 4. Old Age and Survivors e. General relief 5. Farm Security Admin. f. Child nutrition care 6. Surplus commodities g. Another ANC grant 7. Farm Security Admin. h. Old Age Security 8. Other public relief i. Aid to Needy Blind 9. Other income (i.e., j. Legally responsible relatives (not in home) rentals, sales, loans, k. Workmen's compensation 10. Specify insurance, etc.)</p> <p>20. Total persons in household: Exclude boarders and/or persons not related to payee. Manual Sec. 288-35 Number <u>3</u></p> <p>21. Were any needy children receiving public or private relief within 30 days prior to beginning investigation for Aid to Needy Children? (circle all types received): Manual Sec. 288-20</p> <p>a. Care in public or private institution (specify) _____ b. Care in boarding home (State aid not received) _____ c. Care in other foster home (State aid not received) _____ d. Relief from private agency (not in institution or foster home) _____ e. Works program wages _____ f. General public assistance granted within 30 days prior to beginning investigation for Aid to Needy Children _____ g. General public assistance granted pending approval of Aid to Needy Children's Aid but subsequent to beginning investigation _____ h. Other public relief (specify) _____ i. If children had not received any above within 30 days prior to beginning investigation, had they received any within 2 years prior to beginning investigation? Write in _____ (Yes, No, Unknown)</p>																																																																																																																

Signature of person completing form Elmer LeeTitle Social WorkerDate card completed 8-28-41

One Copy to Accompany CA 200 to SDSW

FORM AG 230

State Department of Social Welfare
Form Ag 230 Revised

SOCIAL DATA RECORD CARD - AID TO NEEDY AGED

6. Name of Applicant Robert (last name) Terrie (first name) C (middle initial)

7. Address 1010 (number) Acacia Way (street) Pasadena (city, town or village)

(Upon Receipt of First Grant)

Code	1. County <u>Los Angeles</u>	Code	2. State case number _____
3. Sex (circle one): a. Male b. Female	17. Living arrangements to be effective when first payment is received (circle one): Manual Sec. 287-50 a. Alone (living alone in house or apartment, living alone in furnished room and eating elsewhere, living in furnished room and cooking own meals) b. In household with spouse only c. In household with spouse and adult children d. In household with adult children e. In household with spouse and persons not legally responsible for support f. In household, boarding home, or institution not with relatives g. In licensed boarding home or institution h. Other (specify) _____	Code	3. County case number <u>00000</u>
4. Race (circle one): a. White b. Negro c. Other (specify) _____	18. Public or private assistance received within 30 days prior to beginning investigation for Old Age Security (circle each kind): Manual Sec. 287-55 a. Care in private institution (specify kind) _____ b. Assistance from private agency (not institution) _____ c. Care in public institution (specify kind) _____ d. Works program wages received by applicant _____ e. Works program wages received by other members of household _____ f. General public assistance prior to beginning investigation for Old Age Security _____ g. General public assistance pending approval but after beginning investigation for Old Age Security _____ h. Other public assistance (specify) _____ i. If applicant had not received any above types within 30 days prior to beginning investigation, had he received any within 2 years prior to beginning this investigation? Write in <u>Yes</u> (Yes, No, Unknown) _____	Code	4. Date application form Ag 200 signed <u>8-25-41</u>
10. Date of birth <u>7-7-1876</u> Manual Sec. 287-10 (month) (day) (year)	19. Status of case: _____	Code	5. Date of this approval <u>10-4-41</u> (Board of supervisor's action)
11. Place of birth <u>Mississippi</u> Manual Sec. 287-15 (State; country if foreign-born)	20. Amount of this grant \$ _____ Other income _____	Code	To be completed by State Department
12. Total years in California <u>39</u> Manual Sec. 287-20	21. Assessed value real property <u>\$145.00</u> (If no property "none") Manual Sec. 287-60	Code	22. Amount of encumbrances <u>\$None</u> Manual Sec. 287-63
13. Place where last spent one year prior to coming to California <u>Mississippi</u> Manual Sec. 287-25 (State; country if foreign-born)	23. Nature of property (circle each applicable item): Manual Sec. 287-70 a. Applicant's home b. Other improved property c. Unimproved property d. Other (specify) _____	Code	24. Other public or private assistance approved in household of applicant for this individual or for any other member of the household, except lodgers, to be received simultaneously with Old Age Security (circle each type of aid received): Manual Sec. 287-30 a. None b. Aid to Needy Children c. Aid to Blind d. Unemployment relief e. General county aid f. Another OAS grant <u>In 0000</u> (State case number) g. Federal work programs h. Other public assistance (specify) _____ i. Private agency _____ j. Unknown _____
14. Was case receiving public assistance from another state during the last 12 months while living in California? (circle one): Manual Sec. 287-30	25. Signature of person completing form <u>Elinor Rose</u>	Code	Title <u>Deputy County Clerk</u>
15. Present marital status (circle one): See Manual Glossary a. Single b. Widowed c. Divorced d. Separated e. Married	Date card completed <u>10-1-41</u>	Code	
16. Source of support during two years immediately prior to this application. Rank according to importance of support. Rank main source as (1), second source as (2), etc. Rank as zero (0) those sources which amount to less than one-half the total support. Leave blank those listed sources from which applicant received no income (circle each kind): Manual Sec. 287-40		Code	
Source of Support	Rank	Code	
a. Own earnings	1	Code	
b. Savings	2	Code	
c. Spouse	3	Code	
d. Children	4	Code	
e. Public assistance	5	Code	
f. Other (specify) _____	6	Code	
g. Unknown	7	Code	

One Copy to Accompany Ag 200 to SDSW.

FORM BL 230

SOCIAL DATA RECORD CARD - AID TO THE BLIND

State Department of Social Welfare
Form BL 230 Revised

6. Name of applicant Donald (last name) Elmer (first name) C (middle initial)

7. Address 81236 (number) Ellis Street (street) Los Angeles (city, town or village)

(Upon Receipt of First Grant)

Code	1. County <u>Los Angeles</u>	Code	2. State case number _____
3. Name of applicant <u>Donald</u> (last name) <u>Elmer</u> (first name) <u>C</u> (middle initial)	3. County case number <u>0000</u>	Code	4. Date application form (Bl 200) signed <u>8-7-41</u>
7. Address <u>81236</u> (number) <u>Ellis Street</u> (street) <u>Los Angeles</u> (city, town or village)	5. Date of this approval <u>10-25-41</u> (Board of supervisor's action)	Code	
8. Sex (circle one): a. Male b. Female	17. Living arrangements to be effective when first payment is received (circle one): Manual Sec. 287-50 a. Alone (living alone in house or apartment, living alone in furnished room and eating elsewhere, living in furnished room and cooking own meals) b. In household with spouse only c. In household with spouse and adult children d. In household with adult children e. In household with spouse and persons not legally responsible for support f. In household, boarding home, or institution not with relatives g. In licensed boarding home or institution h. Other (specify) _____	Code	19. Status of case: _____
9. Race (circle one): a. White b. Negro c. Other (specify) _____	18. Public or private assistance received within 30 days prior to beginning investigation for Aid to the Blind (circle each kind): Manual Sec. 287-55 a. Care in private institution (specify kind) _____ b. Assistance from private agency (not institution) _____ c. Care in public institution (specify kind) _____ d. Works program wages received by applicant _____ e. Works program wages received by other members of household _____ f. General public assistance prior to beginning investigation for Blind Aid _____ g. General public assistance pending approval but after beginning investigation for Blind Aid _____ h. Other public assistance (specify) _____ i. If applicant had not received any above types within 30 days prior to investigation, had he received any within 2 years prior to investigation? Write in <u>Yes</u> (Yes, No, Unknown) _____	Code	20. Amount of this grant \$ _____ Other income _____
10. Date of birth <u>4-12-1894</u> Manual Sec. 287-10 (month) (day) (year)	21. Personal property (circle applicable items): Manual Sec. 287-75 a. None b. Care c. Life insurance d. Other (specify) _____	Code	To be completed by State Department
11. Place of birth <u>Mississippi</u> Manual Sec. 287-15 (State; country if foreign-born)	22. Real property (circle applicable items): Manual Sec. 287-80 a. None b. Applicant's home c. Other improved property d. Unimproved property e. Other (specify) _____	Code	
12. Total years in California <u>36</u> Manual Sec. 287-20	23. Citizenship (circle one): Manual Sec. 287-85 a. Citizen b. First papers c. Alien d. Other (specify) _____	Code	
13. Place where last spent one year prior to coming to California <u>Mississippi</u> Manual Sec. 287-25 (State; country if foreign-born)	24. Other public or private assistance approved in household of applicant for this individual or for any other member of the household, except lodgers, to be received simultaneously with Aid to the Blind (circle each type of aid received): Manual Sec. 287-90 a. None b. Aid to Needy Children c. Old Age Security d. Unemployment relief e. General county aid f. Another Blind Aid grant <u>In 0000</u> (State case number) g. Federal work programs h. Other public assistance (specify) _____ i. Private agency _____ j. Unknown _____	Code	
14. Was case receiving public assistance from another state during the last 12 months while living in California? (circle one): Manual Sec. 287-30	25. Signature of person completing form <u>Elinor Rose</u>	Code	Title <u>Social Case Worker</u>
15. Present marital status (circle one): See Manual Glossary a. Single b. Widowed c. Divorced d. Separated e. Married	Date card completed <u>10-13-41</u>	Code	
16. Arrangements for education to be effective when first payment is received: Manual Sec. 287-45		Code	
a. Living in school for the blind b. Attending regular school for blind c. Attending other school (specify) _____ d. Home instruction - Public auspices e. Home instruction - Private auspices f. Not receiving instruction - Already completed special course in handicraft, braille reading, etc. g. Not receiving instruction - No special instruction ever received h. Unknown		Code	

One Copy to Accompany (Bl 200) to SDSW.
(Bl 200A)Date card completed 10-13-41

Sec. 286-05 Instructions on Social Data Record Cards

286-05

OAS; ANB; APSB; ANC

Items that are self-explanatory or for which instructions are printed on Social Data Record Card are not included in the following sections which contain instructions for completion of the forms.

Sec. 287-05 Race

287-05

OAS; ANB; APSB—Item 9**ANC—Item 11**

a. **White**—Generally members of the Caucasian race are classified as white. Possible deviations are enumerated under c.

b. **Negro**—A person of mixed white and negro blood (of any percentage) is classified as a Negro. Both black and mulatto persons are recorded as Negroes. A person of mixed Indian and Negro blood is reported as a Negro, unless Indian blood predominates and person's status as an Indian is generally accepted in the community.

c. **Other**—When applicant or payee (ANC) is neither white nor Negro, circle (c) and specify race to which he belongs, as "Mexican," "Chinese," etc. "Other races" include the following: Mexican, Indian, Chinese, Japanese, Filipino, Hindu, Korean, Hawaiian, Malayan, Siamese, Samoan, all other. The following statement applies to classification of Mexicans, Indians, and other mixed races:

Mexicans—Practically all Mexican laborers are of a racial mixture difficult to classify, though usually well recognized in localities where they are found. In order to obtain separate figures for this racial group, all persons born in Mexico, or having parents born in Mexico, who are not definitely white, Negro, Indian, Chinese, or Japanese, are recorded as "Mexican" (Mex.).

Indians—A white person of mixed white and Indian blood is recorded as Indian, except where the percentage of Indian blood is very small, or where he is regarded as a white person in community where he lives.

Other mixed races—Mixtures of white and non-white races are reported according to the non-white parent. Mixtures of colored races are reported according to race of father, except Negro-Indian as explained under b. (See line b of this item.)

Sec. 287-10 Date of Birth

287-10

OAS; ANB; APSB—Item 10**ANC—Items 12, 18—Col. 6**

For OAS, ANB and APSB enter month, day and year of birth, which in opinion of public assistance worker is most accurate. This date need not be verified birth date. For ANC payee, enter year of birth only. If exact year is unknown, enter estimated year and mark "estimated."

Sec. 287-15 Place of Birth

287-15

OAS; ANB; APSB—Item 11**ANC—Items 13, 18—Col. 7**

If applicant, payee, or child was born in United States, give State or Territory in which born. If he was born in United States but State of birth is unknown, enter "U. S.—Unk." If applicant was not born in United States, give country of birth. When there is uncertainty as to how to identify foreign country of birth, enter name of country and also province or State in which person was born. Enter name by which country or province was known on birth date of applicant. If foreign country of birth is unknown, enter "Foreign—Unk." If place of birth is entirely unknown, enter "Unk."

287-20 **Sec. 287-20 Total Years in California****OAS; ANB; APSB—Item 12****ANC—Items 14, 18—Col. 8**

Enter total number of years during which applicant, payee, or child in ANC has lived in California, disregarding interruptions. An approximate number is acceptable. The years are computed as of date Social Data Record Card is completed.

Example: Applicant is 66 years old and has spent 20 years out of State. Enter number 46.

287-25 **Sec. 287-25 Place Where Last Spent One Year Prior to Coming to California****OAS; ANB; APSB—Item 13****ANC—Item 15**

Enter state where applicant or payee (ANC) last spent at least one year prior to his last entry into California. If applicant came to California from a foreign country, enter name of country where he last lived at least one year. If applicant or payee (ANC) was born in California and has never lived continuously in any other state or country for at least one year, enter "No other state."

287-30 **Sec. 287-30 Was Case Receiving Public Assistance From Another State During the Last 12 Months While Living in California?****OAS; ANB; APSB—Item 14****ANC—Item 16**

If applicant for OAS, ANB or APSB or any of the children under ANC has received aid during last 12 months from another State while living in California, circle (a) and enter name of State in space provided opposite line *a* of this item. If it is known that case did not receive aid from another State during last 12 months while living in California, circle line (b). If it is not known whether applicant or children were object of an aid payment from another State, circle line (c).

287-35 **Sec. 287-35 Present Marital Status****OAS; ANB; APSB—Item 15****ANC—Item 18—Col. 10**

See Glossary—Marital Status.

287-40 **Sec. 287-40 Support During Two Years Immediately Prior to Date of Application****OAS—Item 16**

Circle every item from which applicant for OAS received some support during two years immediately prior to application for aid.

Enter in column headed "rank" the number "1" opposite circled item which represents largest proportion of support. Enter the number "2" opposite second most important source, etc. If two or more sources of support are of equal weight assign same rank to each source. If any of the items circled represents a source of income equal to or less than 10% of total income of applicant, enter rank of "0" opposite that source. If applicant received income from a source not classifiable by lines *a* through *e*, circle (f) "other" and write in the source in space provided. If applicant was wholly or partially supported by an unrevealed source, circle (g).

a. **Own earnings**—Includes earnings from applicant's own labor or services, income from business, etc.

b. **Savings**—Refers to accumulated cash, securities, etc., from which applicant has obtained some support during two years immediately prior to application.

c. **Spouse**—Any support provided by spouse irrespective of spouse's source of income is classified under *c*. If spouse who is applying for OAS contributed to family income from earnings or resources an amount equal to his pro rata share of expenses, do not classify as supported by spouse. When a housewife who has been dependent upon her husband's earnings for support applies for OAS, circle (c).

d. **Children**—Support contributed by children of applicant is classified under *d*. Contributions by children for care of an aged couple are classified under *d* even though actual payment may have been made to applicant's spouse.

e. **Public assistance**—If applicant received any public assistance during last two years preceding this application, circle (e) and indicate rank.

f. **Other**—Classify under *f* support obtained by applicant from all known sources not classifiable under lines *a* through *e*. This will include income from property rentals, etc.

g. **Unknown**—Do not routinely mark this item for miscellaneous sources of income. Use it only in cases in which applicant received income from an unrevealed source.

Sec. 287-45 Arrangements for Education to be Effective when First Payment is Received

287-45

ANB; APSB—Item 16

This item is to show arrangement for education to be effective when the first ANB or APSB payment is received.

a. **Living in school for the blind**—Refers to a school for blind in which applicant spends full time, not only attending classes during day but having living accommodations, as is possible in some privately endowed schools.

b. **Attending special school for the blind**—Refers to attendance at a day school either conducted solely for blind or having special classes and instructors for blind.

c. **Attending other school**—Refers to attendance at any other school, such as a public, denominational, or private school having classes with no special provision for blind, although blind or partially blind are permitted to attend. Specify type of school.

d. **Home instructions—public auspices**—Refers to home instructions by teacher from State school for blind, by visiting teacher from local public school, or any other type of home instruction provided by a public agency or institution.

e. **Home instructions—private auspices**—Refers to home instructions by teacher from private denominational school or voluntary agency.

f. **Not receiving instruction—already completed a special course in handicraft, braille reading, etc.**—Circle (f) if applicant is not to receive any type of instruction, academic or vocational, either at home or in school but has already completed a special study course for blind persons such as handicraft, braille reading, or other vocational or academic training.

g. **Not receiving instruction—no special instruction ever received**—Circle (g) if applicant is not to receive any type of academic or vocational instruction, either at home or school, and has never received a special study course for blind persons, such as handicraft, braille reading, or other vocational or academic training.

h. **Unknown**—Circle (h) if arrangements for education are uncertain or unknown.

287-50 Sec. 287-50 Living Arrangements to be Effective when First Payment is Received

OAS; ANB; APSB—Item 17

This item is to show living arrangements to be effective when the first OAS, ANB, or APSB payment is received.

a. **Alone**—Circle (a) if applicant is to live alone in house, apartment, or furnished room, preparing his own meals or eating elsewhere.

b. **In household with spouse only**—Circle (b) if applicant is to live with spouse only, regardless of whether or not they are to live in house, apartment, furnished room, or lodging house.

c. **In household with spouse and adult children**—Circle (c) if applicant is to live with spouse and adult children, regardless of whether or not applicant and spouse are to eat with others in household.

d. **In household with adult children**—Circle (d) if applicant is to live in household group with adult children (but without spouse) regardless of whether or not applicant has meals with household group.

e. **In household group with spouse and persons not legally responsible for support**—Circle (e) if applicant is to live with spouse and other persons who are not legally responsible for applicant's support, regardless of whether or not applicant and spouse are to eat with others in household.

f. **In household group or boarding home and institution not with relatives**—Circle (f) if applicant is to live with group of persons not relatives and is to have his meals with them. Do not include lodging house (10 or more lodgers). Record lodging house on line *h* of this item. If head of household with whom applicant is living has a license to operate a boarding home or institution for the care of aged or handicapped persons, use line *g*.

g. **In licensed boarding home or institution**—Circle (g) if applicant is to live in boarding home or institution privately owned and operated for care of aged persons which has been inspected and licensed by SDSW (or accredited agency) or by State Department of Institutions in accordance with regulations covering licensing of boarding homes and institutions for care of aged or handicapped persons.

h. **Other**—Circle (h) if applicant's living arrangement which is to be effective upon receipt of aid does not conform to descriptions of lines *a* through *g* of this item. Specify type of living arrangement on line *h*.

287-55 Sec. 287-55 Public or Private Assistance Received within 30 Days Prior to Beginning Investigation

OAS; ANB; APSB—Item 18

Was applicant receiving public or private aid within 30 days prior to time of this investigation for OAS, ANB, or APSB? This question pertains either to aid received in the name of applicant or to aid received in name of another member of household which was intended to include needs of applicant. It does not include aid received by another member of household in which applicant was not intended to share.

For purposes of this schedule, a household is defined as a family group or a group of related and unrelated persons living together, who share a common income which may be earned by one member of the group or which may result from pooling of income of several members. Unmarried children, and other relatives if they are considered as part of the family group and economic unit and not as a separate family unit, should be considered as members of the household even though they pay a definite amount for board and room instead of sharing a common family income. Boarders and lodgers who are not related to members of the household and who pay a definite amount for services received should not be considered as members of the household.

Federal surplus commodities and commodities which are the product of Federal work projects are not to be considered as aid for the purposes of the item. If applicant has received aid within 30 days prior to the investigation, even though his case is considered inactive or closed at time of investigation, circle each form of aid received.

The "investigation" is deemed to have begun with the signing of the application. Exclude contacts with client which are merely inquiries in which no information is taken from inquirer, or contacts in which appointment is made for later interview.

a. **Care in private institution**—Circle (a) if applicant was supported in whole or in part by public or private relief agency while living in private institution. Do not circle (a) if applicant was receiving temporary care in hospital. Specify kind of institution. For definition of private institution, see Glossary—Institution, Private.

b. **Assistance from a private agency**—Circle (b) if applicant was receiving assistance from private or semiprivate, nonprofit, incorporated agency but was not living in an institution.

c. **Care in public institution**—Circle (c) if applicant was living in institution supported by public funds, such as county almshouse, municipal lodging house, home for blind, or hospital for chronic diseases. Do not include applicants who were receiving temporary care in hospital. Specify kind of institution. (See Sec. 161-05 for definition of public institution.)

d. and e. **Works program wages**—Circle (d) or (e) if applicant or another member of household was receiving earnings as an enrollee of CCC or for employment on a Federal work project for which he was certified as in need of relief or employment. Include certified persons employed under the student and out-of-school work programs of NYA, on work projects operated by WPA, and on WPA-financed projects operated by other Federal agencies.

Do not include loans by FSA to farmers for purchase of capital goods. Grants by FSA to needy farmers for their subsistence needs, which are not to be repaid, are classified under line h, "Other public assistance."

d. **Received by applicant**—Circle (d) if works program earnings were received in name of applicant. If applicant received a monthly allotment from earnings of a person enrolled in CCC, see instructions for line e of this item.

e. **Received by member of household**—Circle (e) if works program earnings were received in name of a member of applicant's household. If applicant or any member of his household received an allotment from earnings of a person enrolled in CCC, circle (e) since earnings from which this allotment was taken were not earned by applicant.

f. and g. **General public assistance**—Circle (f) or (g) if applicant was receiving or was included in any payment of general public assistance. For definition of general public assistance, see Glossary—Assistance. If applicant came to attention of welfare department as an applicant for this category of aid and required immediate assistance, circle (g). If applicant was receiving some form of general public assistance and was found eligible for this category of aid, circle (f).

f. **Granted prior to beginning investigation for OAS, ANB, or APSB**—Circle (f) if general public assistance was received prior to beginning investigation for aid.

g. **Granted pending approval of OAS, ANB, or APSB, but subsequent to the beginning of investigation**—Circle (g) if general public assistance was granted after beginning investigation for aid.

h. **Other public assistance**—Circle (h) if any other form of public aid not listed by lines c through g is received. Specify type of aid. Grants by FSA to needy farm families for their subsistence needs, which are not to be repaid, shall be reported here. Include also OAS, ANB, APSB or ANC if intended to cover needs of applicant. Do not include Federal surplus commodities or commodities which are the product of Federal work projects.

287-60 Sec. 287-60 Assessed Value of Real Property

OAS—Item 21

Report total assessed valuation of all real property held by applicant and spouse. Include both separate and community real property regardless of separations or property settlements unless a final decree of divorce has been granted. For exception, see Sec. 131-20, Ownership of Real Property Outside State by Separated Spouse. For definition of ownership, see Sec. 131-05, Ownership of Real Property. See also, Glossary—Assessment, and Real Property.

287-65 Sec. 287-65 Amount of Encumbrances on Real Property

OAS—Item 22

Enter in this item total encumbrances upon property reported in Item 21. Include only amount which represents a specific debt against the property. Include any delinquent taxes, unpaid balances on contract purchases, liens, mortgages, trust deeds, etc. See Glossary—Encumbrance.

287-70 Sec. 287-70 Nature of Real Property

OAS—Item 23

Classify each parcel of real property owned by applicant and/or spouse according to lines *a* through *d*. If lines *a*, *b*, or *c* do not properly describe property, circle (d) and specify type of property in space provided.

- a. **Applicant's home**—Circle (a) if applicant owns his home. Buildings on same parcel of property as applicant's dwelling should be included under this item.
- b. **Other improved property**—Circle (b) for any improved real property that is not included in same parcel as dwelling owned and occupied by applicant. See Glossary—Improvements.
- c. **Unimproved property**—Circle (c) if applicant owns a parcel of real property that is unimproved.
- d. **Other**—Circle (d) if property owned by applicant is not classifiable according to lines *a* through *c*.

287-75 Sec. 287-75 Personal Property

ANB; APSB—Item 21

See Glossary—Personal Property for definition.

- a. **None**—Circle (a) if applicant does not possess any personal property of appreciable value.
- b. **Cash**—Circle (b) if applicant has cash in addition to ANB or APSB grant.
- c. **Life insurance**—Circle (c) if applicant has life insurance policy with cash surrender value.
- d. **Other**—Circle (d) if applicant owns separately or jointly personal property not classifiable by *b* and/or *c*. Specify kind in space provided.

Sec. 287-80 Real Property

287-80

ANB; APSB—Item 22

This item refers to real property held separately by applicant or to community property of applicant and spouse. (See Sec. 131-12, Ownership of Separate and Community Real Property, and Glossary—Real Property.) Classify each parcel (owned either jointly or separately by applicant) according to lines *b* through *e*. If *b*, *c*, or *d* do not properly describe property, circle *(e)* and specify type of property in space provided.

- a. **None**—Circle *(a)* if applicant does not hold title to any real property.
- b. **Applicant's home**; c. **Other improved property**; d. **Unimproved property**; e. **Other**.

For discussion, see Sec. 287-7, *a*, *b*, *c*, and *d*, respectively.

Sec. 287-85 Citizenship

287-85

ANB; APSB—Item 23; ANC—Item 17

See Sec. 112-05, Citizenship, ANB, APSB, ANC Laws. No specific reference is made to definition of an alien in chapter 112-00, Citizenship. Sec. 113-75, Process of Individual Naturalization, defines first papers. If applicant or ANC payee has not established citizenship or filed intention of becoming a citizen (first papers) circle *(c)*.

Sec. 287-90 Other Public or Private Assistance Approved in Household of Applicant

287-90

OAS; ANB; APSB—Item 24

The purpose of this item is to show at time of investigation all forms of public or private assistance received by any member of household, including applicant, simultaneously with OAS, ANB or APSB. OAS, ANB or APSB which is to be discontinued upon applicant's receipt of first payment of OAS, ANB or APSB, or soon thereafter, is not to be included. Check only the types of assistance which are to continue as part of the relief plan.

- a. **None**—Circle *(a)* if no other public or private relief is to be received by any member of household.
- b. **ANC**—Circle *(b)* if ANC has been approved for member or members of household.
- c. **OAS or ANB**—Circle *(c)* if OAS, ANB or APSB has been approved for member or members of household.
- d. **Unemployment relief**—Circle *(d)* if unemployment relief is being extended to member or members of household.
- e. **General county aid**—Circle *(e)* if county is extending general assistance from county indigent funds in addition to county's portion of aid costs under OAS, ANB, APSB, or ANC programs to member or members of household.
- f. **Another OAS or ANB grant**—Circle *(f)* if another member or members of household are receiving OAS, ANB or APSB. Give State case number or numbers.
- g. **Federal works program**—Circle *(g)* if member of household is receiving works program wages as defined in Sec. 287-55.
- h. **Other public assistance**—Circle *(h)* if any other type of public assistance has been approved for any member of household, such as a regular grant from public funds for special forms of health service to child or children in household. Do not circle *(h)* if member of household is receiving care at a hospital or in some other public institution. Specify type of assistance.
 - i. **Private agency**—Circle *(i)* if relief is received by member of household from private or semiprivate, nonprofit, incorporated agency. Such assistance does not include care in a private hospital or in other private institutions.
 - j. **Unknown**—Circle *(j)* if at time of the investigation it is unknown whether household will receive other public or private relief simultaneously with OAS, ANB or APSB.

288-05 Sec. 288-05 Total Aid to ANC Household During Month of Approval

ANC—Item 9

This item includes all aid paid into household through the county welfare agency from Federal, State and county funds. Do not include OAS, ANB, APSB, WPA, CCC, FSA, NYA, medical and dental care, etc.

The amount of aid in cash and the value of aid in kind is to be segregated and reported separately in the spaces provided.

288-10 Sec. 288-10 Source of Income Received by Members of Household Concurrently with Receipt of ANC

ANC—Item 19

Persons to be included in household are covered under "household" as defined in Sec. 287-55. Any income received by any members who are included in household is to be classified according to *a* through *r*. If not so classifiable circle (s) and write in source of income.

a. **Employed members**—Circle (a) if anyone included in household is gainfully employed and is contributing to household income. Do not record under this item (see *s*) payment of board and room by nonrelated boarder. If related member of household is paying board and room (from his earnings) under a specific agreement this contribution should be recorded under this item.

b. **Unemployment relief**—Use if county segregates general relief according to aid to employables and unemployables.

c. **Unemployment compensation**—Circle (c) if anyone included in household receives compensation under State Unemployment Compensation Law.

d. **Supplemental ANC**—Circle (d) if aid extended by county is considered supplemental to ANC grant upon which State and Federal reimbursement is based.

e. **General relief**—Circle (e) if county aid extended to household in addition to ANC grant is interpreted by county to be a general relief payment.

f. **County medical care**—Circle (f) if medical care (not hospitalization) is to be extended to anyone included in household during the month covered by this payment of ANC. This includes medicines, doctor calls, etc.

g. **Another ANC grant**—Circle (g) if an ANC grant is made to cover needs of another child or group of children in household.

h. **OAS**—Circle (h) if anyone in household receives OAS.

i. **ANB or APSB**—Circle (i) if anyone in household receives ANB or APSB.

j. **Legally responsible relatives (not in the home)**—Circle (j) only if a relative legally responsible for support of any of the children listed under Item 18 is making a contribution for support of the children. Do not record if relative making the contribution is in home of child.

k. **Workmen's compensation**—Circle (k) if anyone in household is receiving compensation as a result of an industrial accident or as a survivor of a person killed while working in an occupation covered under Workmen's Compensation Act.

l. **WPA**—Circle (l) if anyone in household is receiving relief under a security wage program of WPA.

m. **NYA**—Circle (m) if anyone in household is employed under a program of NYA. Do not distinguish between student aid and other youth work programs.

n. **CCC**—Circle (n) if anyone from household has enrolled and is employed by CCC.

o. **OASI**—Circle (o) if anyone in household is receiving OASI benefits.

p. **SCD**—Circle (p) if anyone in household has authorization to receive commodities from SCD.

q. **FSA**—Circle (q) if anyone in household is receiving subsistence grant from FSA. Do not include loans which are to be repaid.

r. **Other public assistance**—Circle (r) if anyone in household receives public assistance not classified elsewhere in this item.

s. **Other income**—Circle (s) if there is income to the family not classifiable according to other items of this report. Net income from payment of board and/or room by nonrelated boarders is to be recorded under this item. Include assistance received from a private relief agency. Indicate type of income in space provided.

Sec. 288-15 Total Persons in Household

288-15

ANC—Item 20

This item refers to household in which the needy children will live when ANC is granted. For definition of household, see Sec. 287-55.

Sec. 288-20 Were Needy Children Receiving Public or Private Assistance Within 30 Days Prior to Beginning Investigation for ANC?**ANC—Item 21**

This question pertains either to aid received in name of the children or to aid received in name of another member of household which was intended to include needs of the children. It does not include aid received by payee (Item 7) or another member of household in which the needy children were not intended to share. The following are not to be considered as public or private relief for purposes of this item:

1. Confinement in penal or correctional institution;
2. Receipt of Federal surplus commodities or commodities which are the product of a Federal works program.

If the children have received aid within 30 days prior to beginning of this investigation, even though the case is considered inactive or closed at time investigation was begun, circle each form of aid received.

a. **Care in public or private institution**—Circle (a) if any child listed under Item 18 of Form CA 230 was living in public or private institution. Do not include temporary hospitalization or care in penal or correctional institution. Specify kind of public or private institution. For definition of private institution, see Glossary—Institution, Private. For definition of public institution, see Sec. 161-05.

b. **Care in boarding home (ANC not received)**—Circle (b) if any part of cost of care of a child in a foster family home was paid from funds of a private child-placing or relief agency or from general county funds. Do not circle if this child received ANC while living in this boarding home. For definition of boarding home, see Glossary—Boarding Home.

c. **Care in other foster home (ANC not received)**—Circle (c) if any child listed in Item 18 was receiving care in free, wage, or work foster family home, or if cost of child's care was paid by parents or relatives of child.

d. **Relief from a private agency (not in institution or foster home)**—Circle (d) if any child or supporting relative was receiving assistance from a private or nonprofit incorporated agency. Do not include care in an institution or in a foster family home.

e. **Works program wages**—Circle (e) if any child or supporting relative was receiving earnings as an enrollee of CCC or for employment on a Federal work project for which he was certified as in need of relief or employment. For further discussion see Sec. 287-55 (d and e).

f. and g. **General public assistance**—Circle (f) or (g) if any child or supporting relative was receiving, or included in any payment of general public assistance. For definition of general public assistance, see Glossary—Assistance.

If any child named in Item 18 or any supporting relative came to attention of the welfare department as an applicant for ANC and family was found to require immediate assistance, circle (g). If any child named in Item 18 or any supporting relative was receiving some form of general public assistance and the children qualified for ANC, circle (f).

f. **Granted prior to beginning investigation for ANC**—Circle (f) if general public assistance was received by household before this application for ANC.

g. **Granted pending approval for ANC but subsequent to beginning this Investigation**—Circle (g) if general public assistance was granted to household after beginning investigation for ANC.

h. **Other public relief**—Circle (h) if any other form of public aid, not included in a through g, was being received. Specify type of aid. Grants by FSA to needy farm families for their subsistence needs, which are not to be repaid, shall be reported here. Include regular grants from public funds for special forms of health service to the ANC children. Do not include Federal surplus commodities and commodities which are the product of Federal work projects.

i. If the ANC children were not receiving aid within 30 days prior to beginning this investigation, the investigator is to determine whether any of them have received any public or private aid within 2 years prior to beginning this investigation. This question is to be answered only when there are no recordings for items a through h.

288-25 **Sec. 288-25 Living Arrangement of Child****ANC—Item 10; Col. 11**

This item is intended to record the living arrangement of children for whom ANC grant is made. If the mother or father or both are in household with the child, select the code for this item which indicates presence of parent(s) regardless of whether parent is or is not the payee, e.g., if the child is living with her grandmother who is the payee and both parents are in the home, enter code "1." If the child is living with a brother or sister and both parents are absent, enter code "8."

288-30 **Sec. 288-30 Reason for Deprivation of Parental Support****ANC—Item 18; Cols. 12 and 13**

Record under Columns 12 and 13 of Item 18 the reason in the heading of the columns which most nearly states the reason why either or both parents are not able to support the children. These reasons are not to be confused with the statutory classifications noted in Chapter 190-00, Classification, but should record the reason for the deprivation of support of the natural or adoptive parent(s). The following definitions of reasons apply:

Dead—Report as dead those persons for which proof of death is a matter of record or persons who have been declared legally dead by a court.

Deserted (Des.)—Record as deserted all cases in which whereabouts of parent is unknown and parent is not contributing to support of child for that reason.

Imprisonment (Impris.)—Record as imprisoned only if father and/or mother is incarcerated in a State or Federal penal institution.

Mentally incapacitated (Men. Inc.)—Record as mentally incapacitated if parent has been committed to a mental hospital for treatment. Parolees from State hospitals are to be classified as mentally incapacitated.

Physically incapacitated (Phy. Inc.)—Record as physically incapacitated only those cases in which parent is permanently physically incapacitated to the extent that he or she is unable to work at gainful employment.

Tuberculous—Record as tuberculous those parent(s) who are suffering from tuberculosis.

Unknown (Unk.)—Record as unknown if parent is unknown.

288-35 **Sec. 288-35 Date of Occurrence****ANC—Item 18; Cols. 12 and 13**

In space provided in Columns 12 and 13 record date on which child was deprived of parent's support for reason stated. This should not be date that the board of supervisors approved the ANC case but should be date of death, date of commitment to a mental hospital, date illness first was diagnosed as tuberculosis, date of imprisonment, date parent left home or otherwise deserted the child and ceased contributing to his support, etc.

Abbreviations

ANB	--- Aid to Needy Blind
ANC	--- Aid to Needy Children
AGO	--- Attorney General's Opinion
AGO NS	--- Attorney General's Opinion, New Series
APSB	--- Aid to Partially Self-Supporting Blind Residents
Abd.	--- Abandoned Child
C.C.	--- Civil Code
CCC	--- Civilian Conservation Corps
C.C.P.	--- Code of Civil Procedure
CDE	--- California Department of Employment
C.I.F.	--- Child of Incapacitated Father
GWS	--- Child Welfare Services
Cir. L.	--- Circular Letter
Dept. Bul.	--- Department Bulletin
Elec. C.	--- Elections Code
FSA	--- Farm Security Administration
FSSB	--- Federal Social Security Board
Fdlg.	--- Foundling
GR	--- General County Relief
H. & S.C.	--- Health and Safety Code
H.O.	--- Half-Orphan
Illeg.	--- Illegitimate Child
Ins. C.	--- Insurance Code
NYA	--- National Youth Administration
OAS	--- Old Age Security
OASI	--- Federal Old-Age & Survivors Insurance
OWP	--- Other Welfare and Relief Programs
P.C.I.	--- Child Whose Parent Committed to Institution
Pen. C.	--- Penal Code
Pol. C.	--- Political Code
Prob. C.	--- Probate Code
Pub. Res. C.	--- Public Resources Code
RRB	--- Railroad Retirement Board
Rev. & Tax C.	--- Revenue and Taxation Code
SCD	--- Surplus Commodities Distribution
SDI	--- State Department of Institutions
SDSW	--- State Department of Social Welfare
SMA	--- Surplus Marketing Administration
SSWB	--- State Social Welfare Board
Sch. C.	--- School Code
Sec.	--- Section
T.B.F.	--- Child of Tuberculous Father
UI	--- Unemployment Insurance
Veh. C.	--- Vehicle Code
W. & I. C.	--- Welfare and Institutions Code
W.F.U.	--- Child Whose Father's Whereabouts Is Unknown
W.O.	--- Whole-Orphan Child
WPA	--- Work Projects Administration
WPS	--- Welfare Personnel Standards

ASSESSMENT (CONT'D)ASSESSMENT ROLL (CONT'D)

WHEN A PERSON IS ASSESSED AS AGENT, TRUSTEE, BALEE, GUARDIAN, EXECUTOR, OR ADMINISTRATOR, HIS REPRESENTATIVE DESIGNATION IS ADDED TO HIS NAME, AND THE ASSESSMENT ENTERED SEPARATELY FROM HIS INDIVIDUAL ASSESSMENT.

"ROLL" MEANS ENTIRE ASSESSMENT ROLL. THE "SECURED ROLL" IS THE PART OF THE ROLL CONTAINING STATE ASSESSED PROPERTY AND PROPERTY THE TAXES ON WHICH ARE A LIEN ON REAL PROPERTY SUFFICIENT, IN OPINION OF ASSESSOR, TO SECURE PAYMENT OF THE TAXES. REMAINDER OF THE ROLL IS THE "UNSECURED ROLL." THE "LOCAL ROLL" IS THOSE PARTS OF THE SECURED AND UNSECURED ROLL CONTAINING PROPERTY WHICH IT IS COUNTY ASSESSOR'S DUTY TO ASSESS. THE "BOARD ROLL" IS THAT PART OF THE SECURED ROLL CONTAINING STATE ASSESSED PROPERTY.

ASSIGNEE — ONE TO WHOM AN ASSIGNMENT HAS BEEN MADE.

ASSIGNMENT — WRITING BY WHICH AN INTEREST IS TRANSFERRED. ASSIGNMENT OF EITHER MORTGAGE OR TRUST DEED MAY BE MADE BY SIMPLE ENDORSEMENT OF THE NOTE. SUCH ENDORSEMENT CARRIES WITH IT THE SECURITY, THAT IS, THE MORTGAGE OR TRUST DEED.

ASSIGNOR — ONE WHO MAKES AN ASSIGNMENT OR TRANSFERS PROPERTY TO ANOTHER.

ASSIGNS — A SPECIAL USE OF "ASSIGNEES," USED IN LEGAL INSTRUMENTS, AS "HIS HEIRS AND ASSIGNS."

ASSISTANCE

PUBLIC ASSISTANCE — 1. SPECIAL TYPES OF ASSISTANCE INCLUDE ALL OAS, ANB, APSB, AND ANC PAYMENTS; AND F.S.A. ASSISTANCE GRANTS WHICH ARE NOT TO BE REPAYED.

2. GENERAL PUBLIC ASSISTANCE (GENERAL RELIEF) EMBRACES ALL FORMS OF PUBLIC NON-INSTITUTIONAL ASSISTANCE (MONEY AND/OR KIND PAYMENTS) INCLUDING PAYMENTS TO CERTIFIED RELIEF WORKERS ON RELIEF PROJECTS ADMINISTERED, SUPERVISED AND FINANCED BY STATE AND COUNTY ASSISTANCE AGENCIES. IT DOES NOT INCLUDE PAYMENTS UNDER FEDERAL WORK PROGRAMS, DISTRIBUTION OF COMMODITIES MADE AVAILABLE BY THE SMA, COMMODITIES WHICH ARE THE PRODUCT OF FEDERAL WORK PROJECTS OR SPECIAL TYPES OF ASSISTANCE AS DEFINED BY PART 1 OF THIS DEFINITION.

OTHER WELFARE AND RELIEF PROGRAMS — INCLUDE PAYMENTS UNDER FEDERAL WORK PROGRAMS, COMMODITIES DISTRIBUTED BY SMA, AND OTHER SPECIAL COUNTY OR STATE PROGRAMS NOT INCLUDED IN THE DEFINITION OF PUBLIC ASSISTANCE.

ATTORNEY GENERAL — AS USED IN THIS MANUAL REFERS TO THE ATTORNEY GENERAL OF THIS STATE UNLESS OTHERWISE DESIGNATED.

BALEE — PERSON TO WHOM GOODS ARE COMMITTED IN TRUST, AND WHO HAS A TEMPORARY POSSESSION AND A QUALIFIED PROPERTY IN THEM, FOR THE PURPOSES OF THE TRUST; ONE WHO RECEIVES GOODS UNDER A CONTRACT OF BAILMENT.

BAILMENT — A DELIVERY OF GOODS OR MONEY BY ONE PERSON TO ANOTHER IN TRUST, FOR SOME SPECIAL PURPOSE, UPON A CONTRACT, EXPRESS OR IMPLIED, THAT THE TRUST SHALL BE FAITHFULLY EXECUTED.

BAILOR — ONE WHO DELIVERS GOODS OR MONEY TO ANOTHER IN TRUST.

BENEFICIARY — ONE WHO RECEIVES ANYTHING AS A GIFT; RECIPIENT OF ANOTHER'S BOUNTY; PERSON DESIGNATED TO RECEIVE INCOME OF A TRUST ESTATE; PERSON NAMED IN A POLICY OF INSURANCE, AN ANNUITY POLICY, ETC., AS ONE WHO IS TO RECEIVE PROCEEDS OR BENEFITS ACCRUING THEREUNDER.

BEQUEATH — TO GIVE PERSONAL PROPERTY TO ANOTHER BY WILL.

BEQUEST — PROPERTY (ESPECIALLY PERSONAL), GIVEN BY WILL.

BILL OF SALE — A WRITTEN INSTRUMENT EVIDENCING THE TRANSFER OF PERSONAL PROPERTY.

BLEPHAROSPASM — SPASM OF ORBICULAR MUSCLE OF EYELIDS.

BOARDING HOME FOR CHILDREN — A BOARDING HOME FOR CHILDREN IS A PRIVATE FAMILY HOME WHICH ACCEPTS ONE OR MORE CHILDREN TO BOARD WITH OR WITHOUT COMPENSATION EXCEPT THAT THIS DOES NOT APPLY TO THE BOARDING OF NIECES, NEPHEWS, GRANDCHILDREN, BROTHERS OR SISTERS.

BOND — A WRITING UNDER SEAL BY WHICH A PERSON BINDS HIMSELF TO PAY A CERTAIN SUM ON OR BEFORE A FUTURE APPOINTED DAY.

SUCH AN INSTRUMENT MADE BY A GOVERNMENT OR CORPORATION AS AN EVIDENCE OF DEBT, USUALLY FOR THE PURPOSE OF BORROWING MONEY; HENCE, LOOSELY, ANY INTEREST-BEARING CERTIFICATE ISSUED BY A GOVERNMENT OR CORPORATION ESPECIALLY WHEN A DATE IS SET FOR THE PAYMENT OF THE PRINCIPAL. BONDS ISSUED BY A CORPORATION, PRIVATE OR MUNICIPAL, ARE USUALLY SECURED BY A LIEN OR MORTGAGE UPON PROPERTY; THOSE BY GOVERNMENTS ARE NOT, AS A CITIZEN COULD NOT ENFORCE HIS LIEN.

THERE ARE MANY FORMS OR KINDS OF BONDS, MANY OF WHICH ARE SUFFICIENTLY DESCRIBED BY THEIR NAMES; AS, COUPON BONDS, MORTGAGE BONDS, FIRST-MORTGAGE BONDS, SINKING-FUND BONDS, ETC., CONSOLIDATED BONDS ARE THOSE IN WHICH VARIOUS DESCRIPTIONS OF BONDS ARE CONSOLIDATED; EQUIPMENT BONDS ARE THOSE ISSUED BY RAILROADS AND SECURED BY ROLLING STOCK ONLY. (SEE ALSO SECURITIES.)

CANCELLATION OF AID — THE VOIDING OR NULLIFYING OF AID PREVIOUSLY GRANTED BY BOARD OF SUPERVISORS.

CATEGORICAL AIDS — IN THIS MANUAL, THIS PHRASE MEANS OLD AGE SECURITY, AID TO NEEDY BLIND AND AID TO NEEDY CHILDREN. IN GENERAL, IT REFERS TO ANY AID IN WHICH ASSISTANCE IS GIVEN TO A SPECIAL CLASS OF RECIPIENTS.

CHATTEL — ANY ITEM OF MOVABLE OR IMMOVABLE PROPERTY EXCEPT REAL ESTATE OR THE FREEHOLD, OR THE THINGS WHICH ARE PARCEL OF IT. CHATTELS ARE PERSONAL OR REAL; SUCH AS ARE MOVABLE, AS GOODS, PLATE, MONEY, BEING CHATTELS PERSONAL; AND SUCH RIGHTS IN LAND AS ARE LESS THAN A FREEHOLD, AS LEASES, MORTGAGES, GROWING CORN, ETC., BEING CHATTELS REAL. CHATTEL IS A MORE EXTENSIVE TERM THAN GOODS OR EFFECTS.

HANDWRITING — THE HANDWRITING OF A PERSON MAY BE PROVED BY ANYONE WHO BELIEVES IT TO BE HIS, AND WHO HAS SEEN HIM WRITE, OR HAS SEEN WRITINGS PURPORTING TO BE HIS, UPON WHICH HE HAS ACTED OR BEEN CHARGED, AND WHO HAS THUS ACQUIRED A KNOWLEDGE OF HIS HANDWRITING. (SEE WRITING.)

HEREDITAMENTS — THINGS WHICH MAY BE INHERITED.

HOMESTEAD — CONSISTS OF DWELLING HOUSE IN WHICH CLAIMANT RESIDES, AND THE LAND IN WHICH SAME IS SITUATED, SELECTED IN THE MANNER PROVIDED BY LAW.

THE FEDERAL GOVERNMENT GIVES A PATENT TO A PERSON WHO IS MAKING A HOMESTEAD ON GOVERNMENT PROPERTY, AFTER A CERTAIN LENGTH OF TIME, PROVIDED HE HAS COMPLIED WITH FEDERAL REQUIREMENTS. UNTIL THE PROPER LENGTH OF TIME HAS ELAPSED HE HAS ONLY A POSSESSORY INTEREST IN PROPERTY. HOWEVER, THE PROPERTY IS ASSESSABLE.

HYPOTHEC — AN OBLIGATION, RIGHT, OR SECURITY GIVEN BY CONTRACT OR BY OPERATION OF LAW TO A CREDITOR OVER PROPERTY OF DEBTOR WITHOUT TRANSFER OF POSSESSION OR TITLE TO CREDITOR. THE HYPOTHEC CORRESPONDS MOST NEARLY TO COMMON-LAW MORTGAGE, BUT ALSO IN CASE OF THE TACIT HYPOTHEC (THAT IS, ONE ARISING BY OPERATION OF LAW) CORRESPONDS TO VARIOUS COMMON-LAW LIENS OR PREFERRED CLAIMS, AS THAT OF THE STATE FOR TAXES, THAT OF A LANDLORD FOR HIS RENT, ETC.

HYPOTHECATE — TO SUBJECT TO A HYPOTHEC; TO PLEDGE WITHOUT DELIVERY OF TITLE OR POSSESSION. STOCKS ARE HYPOTHECATED WHEN THEY ARE DEPOSITED AS SECURITY FOR A LOAN.

HYPOTHECATION — ACT OR CONTRACT BY WHICH PROPERTY IS HYPOTHECATED, OR THE RIGHT SO CREATED. THIS IS A RIGHT IN THE THING, OF SUCH A NATURE AS TO BE AVAILABLE OVER ITS SUBJECT WITHOUT REFERENCE TO ONE PERSON MORE THAN ANOTHER.

IOU — A PAPER HAVING ON IT THE LETTERS IOU, WITH A SUM NAMED, AND DULY SIGNED AS AN ACKNOWLEDGMENT OF DEBT. IT DOES NOT AMOUNT TO A PROVISOARY NOTE UNLESS IT CONTAINS WORDS IMPORTING A PROMISE TO PAY.

IMPROVEMENTS — INCLUDES:

1. ALL BUILDINGS, STRUCTURES, FIXTURES, AND FENCES ERECTED ON OR AFFIXED TO THE LAND, EXCEPT TELEPHONE AND TELEGRAPH LINES.
2. ALL FRUIT, NUT BEARING OR ORNAMENTAL TREES AND VINES, NOT OF NATURAL GROWTH, AND NOT EXEMPT FROM TAXATION, EXCEPT DATE PALMS UNDER EIGHT YEARS OF AGE.
3. ALFALFA, AFTER THE FIRST YEAR'S PLANTING.

INSTITUTIONS, PRIVATE — ARE THOSE INSTITUTIONS OWNED AND OPERATED WHOLLY BY PRIVATE INDIVIDUALS OR CORPORATIONS AND MAY INCLUDE PROFIT, NON-PROFIT, CHARITABLE, FRATERNAL, BENEVOLENT OR RELIGIOUS ORGANIZATIONS. THEY MAY BE SUPPORTED IN PART BY VOLUNTARY CONTRIBUTIONS. THEY DO NOT RECEIVE AN APPROPRIATION OF FUNDS FROM THE STATE OR ANY POLITICAL SUBDIVISION THEREOF.

INSTRUMENT — A WRITING, AS THE MEANS OF GIVING FORMAL EXPRESSION TO SOME ACT, CONTRACT, OR PROCEEDING, AS A DEED, CONTRACT, WRIT, ETC. (SEE ALSO ACKNOWLEDGMENT OF INSTRUMENTS; NEGOTIABLE INSTRUMENTS; WRITING.)

INSURANCE, LIFE — A CONTRACT WHEREIN ONE PARTY OR COMPANY, CALLED THE INSURER, AGREES WITH THE SECOND PARTY, CALLED THE INSURED, TO PAY A STIPULATED SUM AT DEATH OR DISABILITY OF INSURED, OR, IN THE CASE OF ENDOWMENT INSURANCE, AT THE END OF A SPECIFIED PERIOD, IF INSURED SURVIVES. INSURED AGREES, IN RETURN, TO MAKE PERIODIC PAYMENTS TO INSURER.

THERE ARE THREE MAJOR CLASSIFICATIONS OF INSURANCE AND WITHIN THESE CLASSIFICATIONS THERE ARE FOUR TYPES OF INSURANCE. BY TYPE OF INSURANCE IS MEANT THE FORM OF PROTECTION PROVIDED IN THE POLICY CONTRACT. THE THREE MAJOR CLASSIFICATIONS ARE:

1. ORDINARY INSURANCE IS THAT CLASS OF INSURANCE WHICH IS USUALLY WRITTEN IN UNITS OF \$1,000 OR MORE. ALL POLICIES ON WHICH PREMIUMS ARE PAYABLE ANNUALLY, SEMI-ANNUALLY; OR QUARTERLY BELONG TO THIS CLASS. POLICIES ON WHICH PREMIUMS ARE PAYABLE MONTHLY ALSO BELONG TO THIS CLASS UNLESS THE WORD "INDUSTRIAL" APPEARS ON THE FACE OF THE POLICY. UNDER CERTAIN CONDITIONS SPECIFIED IN THE POLICY, INSURED MAY BORROW MONEY ON ORDINARY INSURANCE. PERIOD AT WHICH LOAN VALUES BECOME AVAILABLE VARIES WITH THE COMPANY, BUT IS USUALLY AT END OF SECOND OR THIRD YEAR.
2. INDUSTRIAL INSURANCE WAS DEVELOPED FOR PERSONS IN LOW INCOME GROUPS, IT IS SOLD IN UNITS WHOSE FACE VALUE IS USUALLY LESS THAN \$1,000. PREMIUMS ARE ORDINARILY PAYABLE WEEKLY, ALTHOUGH SOME ARE PAYABLE MONTHLY, AND USUALLY ARE COLLECTED AT THE HOME BY AGENTS. THE WORD "INDUSTRIAL" APPEARS ON THE FACE OF THE POLICY. IN THIS TYPE OF INSURANCE, INSURED MAY BORROW FOR ONLY ONE PURPOSE, I.E., TO PAY PREMIUMS. SUCH LOANS ARE STAMPED ON THE POLICY AND ARE KNOWN AS LIENS.
3. GROUP INSURANCE REFERS TO POLICIES ISSUED TO COVER A GROUP OF PEOPLE, USUALLY EMPLOYED BY ONE EMPLOYER. WHEN ONLY ONE EMPLOYER IS INVOLVED, HE RETAINS THE POLICY, AND THE EMPLOYEES ARE ISSUED CERTIFICATES INDICATING BENEFITS DUE THEM. PREMIUMS ARE SOMETIMES PAID BY EMPLOYER, SOMETIMES SHARED BY EMPLOYER AND EMPLOYEES, AND SOMETIMES PAID ENTIRELY BY EMPLOYEES.